

Also, petitions of American Federation of Labor and National Association of Retail Grocers, for reduction of the tax on oleomargarine; to the Committee on Agriculture.

Also, petition of Henry C. Peterson, of Brookville, Ind., for bill to increase pension of those who lost an arm or leg in the Civil War (H. R. 17883); to the Committee on Invalid Pensions.

Also, petition of United States Customs Employees' Benevolent Association, for House joint resolution 258; to the Committee on Appropriations.

Also, petition of Rockford (Ill.) Business Men's Association, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of F. E. Sterling, Rockford, Ill., for Militia pay bill (H. R. 28436); to the Committee on Militia.

Also, petition of National Woman's Christian Temperance Union, for a law preventing interstate commerce in intoxicating liquors; to the Committee on Interstate and Foreign Commerce.

Also, petition of Illinois Mining Investigation Commission, to have the big testing machine placed in charge of the Bureau of Mines; to the Committee on Mines and Mining.

Also, petition of the National Liberal Immigration League, against further restrictions of immigration; to the Committee on Immigration and Naturalization.

By Mr. HAMMOND: Petition of citizens of second Minnesota congressional district, against House bill 3292; to the Committee on Interstate and Foreign Commerce.

Also, petition of Jacob Hettinger and three others, of Beaver Creek; W. A. Ulrich, of Amboy, and A. Quevli & Co. and 30 others, of Windom, all in the State of Minnesota, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HANNA: Petition of citizens of North Dakota, against the establishment of a local rural parcels-post service on the rural-delivery routes; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Northwood, N. Dak., for the Cummins bill (S. 3776) relative to control of express cars; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of North Dakota, for House bill 26791, the Hanna bill, for benefit of rural free-delivery carriers; to the Committee on the Post Office and Post Roads.

By Mr. HARDWICK: Petition of certain officers of the Farmers' Educational and Cooperative Union of America, favoring election of United States Senators by direct vote of the people; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. HOLLINGSWORTH: Petition of The Millat Co., of Bellaire, Ohio, against local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. HOWELL of New Jersey: Petition of the Daughters of the American Revolution of New Jersey, opposing the location of reformatory near Mount Vernon; to the Committee on the District of Columbia.

Also, petition of citizens of Long Branch, N. J., for Senate bill 5677, to increase efficiency of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. GARNER of Texas: Petition of citizens of the fifteenth congressional district of Texas, favoring the local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Illinois: Petition of C. P. Robinson, of Haganan, Ill., and merchants of Stonington, Ill., against rural parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Local Union No. 694, United Mine Workers of America, of Girard, Ill., for legislation amending the oleomargarine law by reduction of the tax of 10 cents per pound; to the Committee on Agriculture.

By Mr. JAMES: Petition of citizens of first congressional district of Kentucky, against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. KNAPP: Petition of Hardiman-Woolworth Co., of Watertown, N. Y., against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. KOPP: Petition against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. LAMB: Petition of Society for the Preservation of Virginia Antiquities, against locating a criminal reformatory in the vicinity of Mount Vernon; to the Committee on the District of Columbia.

By Mr. LEVER: Paper to accompany bill for relief of Albert M. Thomas; to the Committee on Pensions.

By Mr. LINDBERGH: Petition of citizens of South Haven, Browerville, St. Cloud, and Carlos, all in the State of Minne-

sota, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. McCREDIE: Petition of A. W. Reid and others, for S. 5677, to promote efficiency of Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGUIRE of Nebraska: Petition of Nebraska soldiers of the Civil War, favoring the Sulloway pension bill; to the Committee on Invalid Pensions.

By Mr. MASSEY: Papers to accompany bills for relief of Lieut. Sanders McMahan and Franklin White; to the Committee on Invalid Pensions.

By Mr. McKINNEY: Petition of business men of Coal Valley, Ill., against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. McMORRAN: Petition of Harvey McGregor Co., of Carsonville, Mich.; Wahla Bros., of Forestville, Mich.; I. F. Smith and seven other business firms of Marlette, Mich., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. REEDER: Petition of citizens of the sixth Kansas congressional district, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ROBINSON: Paper to accompany bill for relief of Virginia R. Jones; to the Committee on War Claims.

Also, petition of Ober & Sons and J. R. Scott, Coleman, Ark., against rural parcels post; to the Committee on the Post Office and Post Roads.

Also, paper to accompany bill for relief of Thaddeus M. Ferrell; to the Committee on War Claims.

By Mr. SMITH of Texas: Petition of citizens of the sixteenth congressional district of Texas, against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of the Farmers' Union of Texas, Liberty Hill Local Union, No. 548, strongly favoring parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, paper to accompany bill for relief of Thomas Benton Brumley; to the Committee on Claims.

By Mr. SULZER: Petition of Brooklyn Engineers' Club, for section 4 of H. R. 7117, relative to appointment of engineers; to the Committee on Rivers and Harbors.

SENATE.

TUESDAY, January 17, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by C. R. McKenney, its enrolling clerk, announced that the House had passed the bill (S. 1997) to limit and fix the compensation of the appraiser of merchandise at the port of San Francisco.

The message also announced that the House had passed the bill (S. 7635) to authorize the President to drop officers from the rolls of the Army under certain conditions, with an amendment, in which it requested the concurrence of the Senate.

The message returned to the Senate in compliance with its request the bill (S. 9850) to authorize the board of trustees of the postal-savings system to rent quarters for a central office in the city of Washington, D. C.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 5015. An act for the relief of Clarence Frederick Chapman, United States Navy;

H. R. 23081. An act for the relief of the family of Samuele Badolati; and

H. R. 24291. An act for the relief of Cooper Walker.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a telegram, communicating a joint memorial of the legislature of Oregon, which was referred to the Committee on Industrial Expositions and ordered to be printed in the RECORD, as follows:

SALEM, OREG., January 16, 1911.

The CHIEF CLERK OF THE UNITED STATES SENATE,
Washington, D. C.:

I am directed to inform the Senate of the United States, through the proper channels, that the senate of Oregon has adopted the following joint memorial:

Senate joint memorial 1.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the legislative assembly of the State of Oregon, respectfully represents that—

Whereas the completion of the Panama Canal will mark an epoch in the world's greatest achievements; and

Whereas the importance of the celebration of this unusual event is heartily appreciated by the people and by the Government of the United States of America; and

Whereas it is imperative that some city of ideal location and undisputed fitness be chosen as the place for holding the celebration; and

Whereas the State of California and the city of San Francisco have both displayed unprecedented enterprise by subscribing to a fund aggregating \$17,500,000 for the purpose of commemorating the completion of the Panama Canal in the event the city of San Francisco is selected as the site; and

Whereas the city of San Francisco possesses so bountifully the essential qualities of enterprise, fitness, and liberality, which, with her world's accessibility and salubrity of climate, make her an incomparable selection: Therefore be it

Resolved, That your memorialists approve of the commemoration of the completion of the Panama Canal.

Second. That we strongly favor the selection of the city of San Francisco, State of California, as a place for the celebration of the completion of the Panama Canal.

Third. That this memorial be forthwith forwarded to our Senators and Representatives in Congress with the request that they present the same and that they exert all possible efforts to have the wishes of this State as contained in this memorial carried out, and that they be further requested to present a copy of these resolutions to the President of these United States, President of the United States Senate, and Speaker of the House of Representatives, and that the secretary of state be authorized to telegraph a copy of this memorial to our Senators and Representatives in the Congress of the United States.

E. H. FLAGG, Chief Clerk Oregon Senate.

Mr. SMITH of Michigan presented a petition of Richmond Grange, No. 878, Patrons of Husbandry, of Reed City, Mich., praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 1, Metal Polishers, Buffers, and Platers, of Detroit, Mich., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the State Society, Sons of the Revolution, of Michigan, praying for the enactment of legislation providing for the printing of the unpublished archives of the Government relating to the War of the Revolution, etc., which was ordered to lie on the table.

He also presented petitions of Local Lodges No. 1325, of Pontiac; No. 1535, of Coloma; No. 1444, of Harbor Beach; No. 588, of Iron Mountain; No. 464, of Ann Arbor; No. 841, of Jackson; No. 892, of Port Huron; No. 829, of South Frankfort; and No. 826, of Marquette, all of the Modern Brotherhood of America; and of Local Camps No. 115, of Detroit, and No. 28, of Manistique, of the Woodmen of the World, all in the State of Michigan, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Ed. M. Prutzman Post, No. 72, Grand Army of the Republic, Department of Michigan, of Three Rivers, Mich., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

Mr. FLINT presented petitions of the National California Club; the Utah Federation of Women's Clubs; the Colorado Federation of Women's Clubs; the Federation of Women's Clubs of Columbus, Ohio; the Huron Mothers' Union, of South Dakota; the Florida Federation of Women's Clubs; the Michigan State Federation of Women's Clubs; the Ladies' Library Association of Kalamazoo, Mich.; the Georgia Federation of Women's Clubs; and of the Friendly Tourist Club, of Brooklyn; the Woman's Literary Club, of Port Richmond; the Colonia Club, of Brooklyn; the Federation for Child Study; the Iowa New Yorkers; the Woman's Progress Club, of New York City; the Women's Club of Staten Island; the St. Cecilia Society, of Flushing; the Elizabeth Cady Stanton Political Equality League, of Brooklyn; the Twentieth Century Club, of Richmond Hill; the Happy Hour Club, of Brooklyn; the Californians in New York; the Urban Club of Brooklyn; the Owl Library Society, of Brooklyn; the Athenæum Club, of Williamsbridge; the Philemon Literary and Historical Society, of Tottenville, Staten Island; the Society of New York State Women; the Ladies' Village Improvement Association, of Sag Harbor; and the Little Mothers' Aid Association, of New York City, all in the State of New York, praying for the passage of the so-called children's bureau bill, which were ordered to lie on the table.

He also presented a petition of Local Lodge No. 2705, Modern Brotherhood of America, of Maricopa, Cal., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. GAMBLE presented memorials of sundry citizens of Plankinton, Dewey, and Isabel, in the State of South Dakota, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented the memorial of D. R. Perkins, of Bison, S. Dak., and the memorial of Reynolds Bros., of Kimball, S. Dak., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

Mr. TERRELL. I present a petition of the National Legislative Committee of the Farmers' Educational and Cooperative Union of America, representing 3,000,000 American farmers, memorializing the Senate in favor of the joint resolution proposing to amend the Constitution so as to provide for the election of Senators by a direct vote of the people. I ask that the petition be read, and, the joint resolution being before the Senate, that it may lie on the table.

There being no objection, the petition was read and ordered to lie on the table, as follows:

To the Senate of the United States of America:

The undersigned, National Legislative Committee of the Farmers' Educational and Cooperative Union of America, directly representing 3,000,000 American farmers and voicing their earnest and unanimous wishes, respectfully memorialize the Senate of the United States in favor of the election of United States Senators by a direct vote of the people in the several States represented by such Senators.

And we respectfully urge upon the Senate of the United States early and favorable action in this matter.

C. S. BARRETT,
President Farmers' Union.

W. R. CALLICOTTE,

Vice President Farmers' Educational and
Cooperative Union of America.

W. A. MORRIS,

Chairman National Executive Committee, Alabama.

Mr. CULLOM presented a memorial of the Merchants' Association of Peoria, Ill., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of E. S. Kelley Post, No. 513, Grand Army of the Republic, Department of Illinois, of Glen Ellyn, Ill., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented a memorial of the Chamber of Commerce of Decatur, Ill., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. NIXON. I present a telegram from the Governor of Nevada, which I ask may be read and referred to the Committee on Industrial Expositions.

There being no objection, the telegram was read and referred to the Committee on Industrial Expositions, as follows:

CARSON, NEV., January 17, 1911.

HON. GEORGE S. NIXON,
United States Senate, Washington, D. C.:

In my message of this day to the Legislature of Nevada I have said that "the completion of the Panama Canal in 1915 is to be commemorated by the holding of a world's exposition to signalize the triumph of the greatest engineering feat in human history, as well as the accomplishment of an enterprise of incomprehensible moment to the economic development of the Pacific coast and the Nation at large. The city of San Francisco is entitled by virtue of all conditions and circumstances to be designated by Congress as the place for holding such exposition. I urge immediate action by your honorable bodies in respect to memorializing Congress to so designate San Francisco and to pledge the moral and material aid and encouragement of the State of Nevada to assist in making such exposition in the city of the Golden Gate the most beneficial and successful ever held in America."

TASKER L. ODDIE, Governor.

Mr. SCOTT presented petitions of sundry employees of the Chesapeake & Ohio Railway in West Virginia, praying for the enactment of legislation authorizing railroads to charge a higher rate for transportation, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Shattuck & Jackson Co., of Parkersburg, W. Va., praying for the enactment of legislation relative to the tax on white phosphorus matches, which was referred to the Committee on Finance.

He also presented a memorial of Local Council No. 37, United Commercial Travelers of America, of Wheeling, W. Va., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented a memorial of the Chamber of Commerce of Boston, Mass., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. DIXON presented memorials of sundry citizens of Livingston and Havre, in the State of Montana, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. DICK presented petitions of Local Lodge No. 470, Brotherhood of Railroad Trainmen, of Painesville; of the Club of Woman Teachers of Hamilton; of Local Union No. 145, Iron Molders' Union, of Columbus; of the Twentieth Century Club of London; and of Local Union No. 47, Iron Molders' Union, of Salem, all in the State of Ohio, praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which were referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Ashtabula, Neffs, and Shandon, all in the State of Ohio, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Cincinnati, Sandusky, and Galion, all in the State of Ohio, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the congregations of the Friends' Church of Damascus and the Presbyterian and the Methodist Episcopal Churches of Malvern, all in the State of Ohio, praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which were referred to the Committee on the Judiciary.

Mr. STEPHENSON presented a petition of the Central Labor Union of Sheboygan, Wis., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of the Woman's Club of West Bend, Wis., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Gateway City Lodge, No. 176, Brotherhood of Railroad Trainmen, of La Crosse, Wis., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Farmers' Institute, of Whitehall, Wis., remonstrating against the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Wisconsin Retail Grocers and Retail Merchants' Association, and a memorial of sundry citizens of Birchwood, Wis., remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Sheboygan Falls, Wis., praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 9011) to provide for the granting by the Secretary of the Interior of permits to explore and prospect for oil and gas on unappropriated and withdrawn lands, reported it without amendment and submitted a report (No. 971) thereon.

Mr. FLINT, from the Committee on Interoceanic Canals, to which was referred the bill (H. R. 12316) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes, reported it with amendments.

Mr. DAVIS, from the Committee on Claims, to which was referred the bill (H. R. 20072) for the relief of Hans N. Anderson, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to which was referred the bill (H. R. 26529) for the relief of Phoebe Clark, reported it without amendment and submitted a report (No. 976) thereon.

Mr. OVERMAN, from the Committee on Claims, to which was referred the bill (S. 865) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, reported it with an amendment and submitted a report (No. 977) thereon.

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (H. R. 17007) for the relief of Willard W. Alt, reported it without amendment and submitted a report (No. 978) thereon.

Mr. FRYE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 10015) for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by (Rept. No. 972);

A bill (S. 10177) to authorize additional aids to navigation in the Lighthouse Establishment, and for other purposes (Rept. No. 973);

A bill (S. 10210) to direct the construction of a lightship and its maintenance near Orford Reef, off Cape Blanco, Oreg. (Rept. No. 974); and

A bill (S. 10011) for establishing a light and fog-signal station on the San Pedro Breakwater, Cal. (Rept. No. 975).

LIGHT AND FOG SIGNAL AT MONHEGAN ISLAND, ME.

Mr. FRYE. I am directed by the Committee on Commerce to report a bill to authorize the improvement of the light and fog signal at Monhegan Island, Me., and I ask for its present consideration.

The bill (S. 10277) to authorize the improvement of the light and fog signal at Monhegan Island, Me., was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the Secretary of Commerce and Labor be, and he is hereby, authorized to cause the light and fog signal at Monhegan Island to be improved at a cost not to exceed \$10,000.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLARD CALL AND JOHN M. WYATT.

Mr. DAVIS. I am directed by the Committee on Claims, to which was referred the bill (H. R. 25057) for the relief of Willard Call and John M. Wyatt, to report it favorably without amendment, and I submit a report (No. 970) thereon. I desire to call the attention of the senior Senator from Texas [Mr. CULBERSON] to the bill.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection, it was considered as in Committee of the Whole. It proposes upon the production of satisfactory evidence of the death at the port of El Paso, Tex., on or about November 5, 1909, of a certain horse imported under provision of paragraph 493 of the tariff act of 1909, to cancel a certain warehouse bond No. 26, of date October 29, 1909, executed by Willard Call as principal and John M. Wyatt as surety, in accordance with the provisions of said paragraph 493 of the tariff act of 1909, and filed with the collector of customs at the port of El Paso, Tex.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 10278) to provide for the use of official postage stamps for franking purposes; to the Committee on Post Offices and Post Roads.

By Mr. CLARK of Wyoming:

A bill (S. 10279) to authorize United States marshals and their respective chief office deputies to administer certain oaths; to the Committee on the Judiciary.

By Mr. McCUMBER:

A bill (S. 10280) granting an increase of pension to John C. Barr;

A bill (S. 10281) granting an increase of pension to George W. Wise;

A bill (S. 10282) granting a pension to Alma J. Parkin; and

A bill (S. 10283) granting a pension to Mary S. Hollinshead (with accompanying papers); to the Committee on Pensions.

By Mr. FRYE:

A bill (S. 10284) to authorize the Secretary of Commerce and Labor to transfer the lighthouse tender *Wistaria* to the Secretary of the Treasury; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 10285) granting an increase of pension to Jesse P. Steele (with accompanying paper); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 10286) relating to homestead entries in the former Siletz Indian Reservation, in the State of Oregon; to the Committee on Public Lands.

By Mr. GALLINGER:

A bill (S. 10287) granting a pension to Emma J. Blake (with accompanying papers); to the Committee on Pensions.

By Mr. BURROWS:

A bill (S. 10288) granting to Herman L. Hartenstein the right to construct a dam across the St. Joseph River near Mottville, St. Joseph County, Mich.; to the Committee on Commerce.

By Mr. FLINT:

A bill (S. 10289) granting a pension to Grace B. Caress; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 10290) granting a pension to Robert N. Adams; to the Committee on Pensions.

By Mr. DIXON:

A bill (S. 10291) granting a pension to Malachi Cordero (with accompanying papers); and

A bill (S. 10292) granting a pension to Martha McConnell; to the Committee on Pensions.

By Mr. CUMMINS (for Mr. Young):

A bill (S. 10293) for the relief of Harry Fosdick; to the Committee on Claims.

By Mr. MONEY:

A bill (S. 10294) for the relief of the trustees of Wesley Chapel Methodist Episcopal Church South, of Warren County, Miss.; to the Committee on Claims.

By Mr. SCOTT:

A bill (S. 10295) granting a pension to John D. Devinney (with accompanying papers); and

A bill (S. 10296) granting an increase of pension to Henry Thomas (with accompanying paper); to the Committee on Pensions.

By Mr. DICK:

A bill (S. 10297) providing for longevity pay for certain officers in the Army Medical Corps; and

A bill (S. 10298) providing for longevity pay for certain officers in the Army Medical Corps and Medical Reserve Corps; to the Committee on Military Affairs.

A bill (S. 10299) to enlarge the site of the Federal building at Akron, Ohio; to the Committee on Public Buildings and Grounds.

A bill (S. 10300) to reduce the postage on first-class matter to 1 cent an ounce; to the Committee on Post Offices and Post Roads.

By Mr. STEPHENSON:

A bill (S. 10301) granting an increase of pension to John A. Maitland (with accompanying papers);

A bill (S. 10302) granting a pension to Anna P. La Duke; and

A bill (S. 10303) granting an increase of pension to Edward J. Miller (with accompanying papers); to the Committee on Pensions.

By Mr. PERCY:

A bill (S. 10304) to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff, in Itawamba County, Miss.; to the Committee on Commerce.

By Mr. BRADLEY:

A bill (S. 10305) to correct the lineal and relative rank of certain officers of the United States Army; to the Committee on Military Affairs.

A bill (S. 10306) granting an increase of pension to John M. Staples; and

A bill (S. 10307) granting an increase of pension to Thomas Lewis; to the Committee on Pensions.

By Mr. FOSTER:

A bill (S. 10308) for the relief of the Stone, Sand & Gravel Co. of New Orleans, La.; to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment proposing to appropriate \$2,200 for the salary of the Assistant Chief of Division of Surveys, General Land Office, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SMOOT submitted an amendment authorizing the Commissioner of the General Land Office to cause patents to issue to all persons who have made settlement in good faith on the unallotted agricultural lands in the Uintah Indian Reservation under the act of May 27, 1902, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. LODGE submitted an amendment authorizing the Secretary of the Treasury to refund to John I. Brown & Son, and others, certain amounts of money, or so much thereof as may be found to have been withheld in excess of the commissions to which the taxpayers were entitled as owners of private dies, etc., intended to be proposed by him to the general deficiency

appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the salary of the assistant marine engineer and the sanitary and heating engineer, office of the Quartermaster General, from \$1,800 to \$2,200, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BOURNE submitted an amendment relative to the survey of the Yaquina River, Oreg., from Toledo to Yaquina, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

PROPOSED BOARD ON WATERWAYS.

Mr. NEWLANDS. I submit an amendment intended to be proposed by me to the river and harbor bill. I should like to have it read so that it will go into the RECORD, and I ask that it be printed and referred to the Committee on Commerce.

There being no objection, the proposed amendment was read, ordered to be printed, and referred to the Committee on Commerce, as follows:

Amendment intended to be proposed to the river and harbor bill by Senator NEWLANDS.

The President is hereby authorized by the appointment of a board or boards to bring into conference and cooperation with the Engineer Corps of the Army the various scientific and constructive services of the United States in the formation of plans for the development, control, and regulation of the rivers, waterways, and waters of the United States for every useful purpose, including, in addition to navigation, the regulation of the flow of rivers, the control of floods and protection from overflow, the reclamation of arid and swamp lands, the prevention of erosion and soil waste, the clarification of streams, the perpetuation of forests and maintenance of the woodland cover as sources of stream flow, the utilization of water power, and the purification of water supplies; and for the cooperation of the United States with States, municipalities, district organizations, communities, corporations, and individuals in such development and control, and the apportionment of work, cost, and benefits, according to the jurisdiction, powers, rights, and benefits of each; such plans to especially include the utilization of the rivers, streams, lakes, gulfs, bays, and sounds of the United States, with connecting canals and including terminal and transfer facilities and sites, as efficient waterways for the transportation of freight and passengers; such plans to be submitted to Congress for its consideration and action. And for this purpose the sum of \$50,000 is hereby appropriated. The President may appoint on such board or boards from civil life a hydraulic engineer, a constructor, and an expert in transportation.

DROPPING OF OFFICERS FROM ARMY ROLLS.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 7635) authorizing the President to drop officers from the rolls of the Army under certain conditions, which was, in line 7, after the word "after," to insert the word "final."

Mr. WARREN. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

TOBACCO ANTICOUPOIN LEGISLATION.

Mr. BEVERIDGE. Mr. President, I wish the attention of the senior Senator from Utah [Mr. SMOOT] for a moment. Before the Christmas holidays I asked the Senator from Utah at what time we might expect to have Senate bill 6219 reported from the Finance Committee. That bill is known as the tobacco anticoupon bill. The Senator made a satisfactory response at that time, but more than a month has elapsed, and I have heard nothing from it. So I respectfully submit the same inquiry this morning.

Mr. SMOOT. Mr. President, the Senator is mistaken as to the time which has elapsed.

Mr. BEVERIDGE. If so, I will modify that.

Mr. SMOOT. But be that as it may, a considerable time has elapsed.

I will say that, in conversation with the Senator from Rhode Island [Mr. ALDRICH] the other day, he suggested that the matter be taken up as soon as the Committee on Finance meets. I expect the committee will meet in a very short time, and I now promise the Senator from Indiana that the bill will be considered by the committee, and more than likely be referred to a subcommittee for further investigation.

Mr. BEVERIDGE. Mr. President, I regret to say that that statement, unlike most statements the Senator from Utah makes, is hardly satisfactory, as I think he himself will observe in a moment. The suggestion is that the Committee on Finance will meet soon, but the Senator does not say what "soon" means. In view of the time that has elapsed since the Senator made practically the same statement, it would not appear that the term "soon," to the Senator's mind, means what that term usually means to most minds; and, second, that, when the committee does meet, the Senator says more than likely the bill will be referred to a subcommittee. Now, I will show the Senator and the Senate—because this is a subject in which I think every

Senator here is interested—that that is not only unnecessary, but hardly a fair treatment of the Senate itself.

A bill similar to this, Mr. President, passed the Senate as a part of the tariff measure. So far as this particular provision was concerned not a voice was raised against it. It was the reenactment, so far as its passage through the Senate was concerned, of the anticoupon provision that Gov. Dingley had put into the Dingley tariff act, and he had it put in because the abuse which it was designed to correct had grown so flagrant that some action had to be taken, even in a revenue bill.

So that, Mr. President, this bill was for a number of years the law. It was repealed as a part of that mysterious tobacco legislation of 1902 that never yet has been explained, and which Congress two years ago attempted to rectify. When the measure passed the Senate as a part of the tariff act without one word being said against it—and none can be—it went to the conference committee, and there the entire anticoupon provision was stricken out. I called the personal attention of some Senators to that at the time. Now a year and a half has gone by and these delays, curious and unreasonable, have repeatedly occurred.

Why, then, does the Senator from Utah propose to refer the bill to a subcommittee of his committee when the bill itself is in the language that the committee—the Senator himself having charge of it—reported out to this Senate favorably, and which passed the Senate? Why should the Senator now suggest that it needs again to be referred to a subcommittee of his committee for examination, when it is the exact language that the committee itself once before reported to the Senate? It is not fair.

Mr. SMOOT. Mr. President, I take it for granted that the Senator from Indiana knows that I am in favor of the provision. I have voted for it. I was a member of the subcommittee that previously heard the testimony—

Mr. BEVERIDGE. And I believe it is in the Senator's language.

Mr. SMOOT. I think the provision—although I have not carefully examined it—is in the language that was in the last tariff bill.

Mr. BEVERIDGE. Why, then, does the Senator think the matter ought to be again referred to a subcommittee?

Mr. SMOOT. I will say, Mr. President, that it is true, as the Senator from Indiana says, that there was no opposition developed to the measure in the Senate, and I doubt very much whether there would be now, but there are a number of manufacturers interested—I will say independent manufacturers—who are opposed to this measure and who have asked that a hearing be granted. I do not expect any lengthy hearings, nor do I think it necessary to have them, but I believe that the request which has been made should be granted, even if it takes a few days.

Further, Mr. President, in relation to the Committee on Finance not meeting to-day, I will say that the Secretary of the Treasury desires to appear before the committee in a very few days, as I am informed, and a regular meeting will be held for that purpose in the near future. I do not think it will be very many days before the committee meets.

Mr. BEVERIDGE. Mr. President, the Senator from Utah now gives an excuse, which would be reasonable but for one fact. He said some manufacturers want to be heard. Now, I ask the Senator if it is not true that, when this measure was before his committee and before he reported out this very measure itself, he did not have an exhaustive hearing of manufacturers both for and against the measure?

Mr. SMOOT. I will say, Mr. President, that we did have hearings, but after those hearings were closed and after the provision in the way of an amendment to the tariff bill had been reported to the Senate and accepted by the Senate, there were numbers of independent manufacturers who made objections to the amendment, and stated to the committee that they were absolutely opposed to it.

Mr. BEVERIDGE. Now, Mr. President, the Senator from Utah has compelled me by a repeated statement to ask him a question which I would not otherwise have asked. The Senator has repeatedly emphasized the fact that independent manufacturers are opposed to this measure. I will ask the Senator if it is not true that the American Tobacco Co., known as the trust, was and is most earnestly opposed to this coupon provision, and if its representatives did not so state and work in all hearings that were had before the committee upon this subject?

Mr. SMOOT. The representatives of the American Tobacco Co. appeared before the committee.

Mr. BEVERIDGE. And were against this provision?

Mr. SMOOT. And were against some of the provisions as reported, but not all of them.

Mr. BEVERIDGE. But were they not against the coupon provision?

Mr. SMOOT. Only in part, Mr. President. In some particulars they were not.

Mr. BEVERIDGE. And is it not the fact—because we might as well thrash this particular matter out now—that the anticoupon provision of the Dingley law was enacted by Congress to prevent the Tobacco Trust from using that cruel method of crushing out competition?

Mr. SMOOT. I so understand, Mr. President. That was the object of the act.

Mr. BEVERIDGE. Yes. Then why does the Senator, in stating that the independent manufacturers are against this, omit mentioning the insignificant fact that the Tobacco Trust was and is against it?

Mr. SMOOT. I suppose for the same reason, Mr. President, that the Senator himself would take no notice of the American Tobacco Co.'s objection; but if there were independent manufacturers who were struggling against that large corporation, and who were objecting to the provision, he might think their objections worthy of consideration.

Mr. BEVERIDGE. When this bill comes before the Senate I will go, I think even to the Senator's satisfaction, into the so-called independent companies' objections. I stated in my remarks when the entire tobacco subject was up what is well known to the trade, that it has been one of the methods of this great concern to buy the independent companies and let them proceed as though they were independent. Does the Senator positively know that the so-called independent manufacturers he mentions are really independent?

Mr. SMOOT. The only way I know it, Mr. President, is by their positive sworn statements that they are independent manufacturers.

Mr. BEVERIDGE. How many of them are independent? Is there more than one?

Mr. SMOOT. Yes; there were three, Mr. President.

Mr. BEVERIDGE. How many independent manufacturers that are undoubtedly independent demand the passage of this bill?

Mr. SMOOT. Oh, a great many of them.

Mr. BEVERIDGE. Practically all. Is that not true?

Mr. SMOOT. No; I do not think it is.

Mr. BEVERIDGE. All but two or three?

Mr. SMOOT. All but three who appeared at the last hearing.

Mr. BEVERIDGE. Then, as a matter of fact, it appears that this is opposed most powerfully by the Tobacco Trust and by one or two, possibly three, so-called independent concerns, and is earnestly demanded and prayed for by the great bulk of the independent manufacturers of the country. That is the situation, is it not?

Mr. SMOOT. Mr. President, I will simply say to the Senator, in conclusion, that he can rest assured that just as soon as the matter can be reached, it will receive attention by the committee. I can not say any more than that.

Mr. BEVERIDGE. I hope the Senator will be more specific than that. Three separate times, once last session and twice this session, I have asked for some expression from the committee upon this bill, which is the committee's own report and in the committee's own language and which has passed the Senate before and once been in the laws of the country. Any such indefinite statement as that might leave no recourse whatever except to enter a motion—which I do not intend to do unless I conceive, as a Senator, that justice demands it—to discharge the committee. I trust the Senator will not put me in that position.

Mr. GALLINGER. I ask for the regular order, Mr. President.

Mr. BEVERIDGE. Perhaps I had better enter the motion and let it go over, of course, under the rule; but at least I have been most reasonable and patient about this, the Senator will admit. Does not the Senator think so? I will, however, withhold the motion for the present; but I give notice that, unless we can have some expedition upon this bill, for the delay on which no excuse has been given, if, indeed, there is any, I shall enter a motion, and press it, for the discharge of the committee.

INTERIOR DEPARTMENT AND FORESTRY BUREAU.

Mr. PURCELL. I ask that the resolution which was offered by me yesterday in regard to the investigation of the conduct of the Interior Department be laid before the Senate.

The VICE PRESIDENT. Without objection, the Chair lays before the Senate the resolution, which the Secretary will read.

The Secretary read the resolution (S. Res. 323) yesterday submitted by Mr. PURCELL, as follows:

Whereas on the 19th day of January, 1910, a joint resolution was adopted by the Senate and the House of Representatives for the purpose of investigating the action and conduct of the Interior Department and its several bureaus, officers, and employees, and of the Bureau of Forestry in the Department of Agriculture, with directions to the committee appointed to make such investigation and report to this Congress the evidence taken and the committee findings and conclusions thereon; and

Whereas the committee appointed to make such investigation has concluded its labors, and has reported the evidence taken, and also the findings and conclusions thereon made and reached by the members of said committee; and

Whereas there is disagreement among the members of said committee as to the findings and conclusions which should be drawn from the evidence taken and received by said committee: Therefore

Resolved, That it is the sense of the Senate that the findings and conclusions reported by certain members of said committee to the effect that Mr. Richard A. Ballinger, Secretary of the Interior, has not been true to the trust reposed in him as such Secretary, that his administration of that office has been marked by a lack of fidelity to the public interests, that he is not deserving of public confidence and should not longer be retained in that office, are based upon and in substantial conformity with the evidence reported by the committee.

Mr. PURCELL addressed the Senate. After having spoken for some time,

The VICE PRESIDENT. The Senator from North Dakota will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce."

Mr. GALLINGER. I will inquire of the Senator from North Dakota how much more time he will require to complete his remarks.

Mr. PURCELL. Not very long—15 or 20 minutes.

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside, to be taken up at the conclusion of the Senator's remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. PURCELL. Mr. President, on August 11, 1909, L. R. Glavis, then a chief in the Field Division of the General Land Office of the Department of the Interior, made a statement of charges to the President of the United States against the conduct of the Interior Department, and particularly against the action of Richard A. Ballinger, Secretary of the Interior. On September 3, 1909, said Glavis made a supplementary statement of charges to the President of the United States against the said Richard A. Ballinger, Secretary of the Interior. Secretary Ballinger was informed by the President of these charges on the 22d day of August, 1909, and on September 4, 1909, the said Richard A. Ballinger replied in writing to these charges to the President of the United States.

On December 21, 1909, a resolution was introduced and passed in the Senate requesting the President, if, in his opinion, it was not incompatible with the public interest, to transmit to Congress any reports, statements, and so forth, upon which he acted in reaching his conclusions with reference to the said charges. In connection with the passage of this resolution, a Senator made a statement, and read a letter signed by Richard A. Ballinger, Secretary of the Interior, in relation to said charges, and in relation to an investigation which he desired should be made of those charges. This letter was followed by a statement of this Senator that he would introduce a resolution calling for a thorough and rigid investigation of the Interior Department and all its branches and officers, and on January 5, 1910, a resolution was offered in this body in relation to the charges made by L. R. Glavis and others against Secretary Ballinger, which resolution was referred to the Committee on Public Lands, and on January 19 a joint resolution was passed by the Senate and House of Representatives authorizing an investigation of the Department of the Interior and its several bureaus, officers, and employees, and the Bureau of Forestry, in the Department of Agriculture, and its officers and employees, by a joint committee of both Houses of Congress, six Members of the Senate and six Members of the House of Representatives. Pursuant to this resolution, a joint committee was appointed, which committee convened and organized on January 26, 1910, in the city of Washington, D. C., and at different times from and after the 26th day of January, 1910, up to and including May 20, 1910, in which time the taking of the testimony and evidence was concluded. The investigation was conducted before the committee by distinguished attorneys for each of the respective parties, to wit: Richard A. Ballinger, by J. R. Vertrees and Carl Rasch; Mr. Glavis, by L. D. Brandeis and Joseph F. Cotton, jr.; and Gifford Pinchot, by M. A. Smythe and George

Wharton Pepper. At the conclusion of the taking of the evidence and testimony upon the matters presented to the committee as to said charges, oral arguments were made by the attorneys for each of the above-named parties. And thereafter written briefs were presented by the respective attorneys on behalf of their clients.

The committee adjourned in Washington, D. C., about the 20th of June, 1910, to meet in Minneapolis, Minn., on the 5th of September, 1910, for the purpose of making up its findings, conclusions, and reports of the investigation. A resolution was passed in Minneapolis by members of the committee, holding in substance that the charges made against Secretary Ballinger were found to be true, and a report of the investigation was prepared by five members of the committee and filed with the secretary of the committee. Thereafter, on the 9th day of December, 1910, the committee disagreed in its findings and conclusions. In its report the committee, however, reported to the Senate all the evidence and testimony taken, the findings and conclusions of the individual members, and the findings and conclusions of a majority of the committee. In other words, the committee, or the members thereof, have made different findings in relation to the charges made against the Secretary of the Interior, which findings and conclusions radically conflict with each other. In one set of findings the Secretary of the Interior is exonerated in every particular; in the other set of findings the Secretary of the Interior is found guilty of the charges made by Glavis and Pinchot; and inasmuch as the Secretary of the Interior has demanded this investigation, and Congress has appointed a committee to make this investigation, and the investigation has been made, I do not think that the matter is finally disposed of by Congress until Congress shall have passed upon the question as to which of these findings is sustained by the evidence. Hence it was that the resolution just read was offered. I understand that the testimony and the findings and the reports have not yet been printed.

When Mr. Ballinger became Commissioner of the General Land Office, on March 4, 1907, and during all the time he was such commissioner, the law in force and controlling coal-land entries in Alaska was the act passed June 6, 1900, and amended April 28, 1904.

By the act of June 6, 1900, the general coal-land laws of the United States were extended to Alaska. These laws were applicable only to surveyed lands, hence the act was void of any practical effect. By the amendatory act of April 28, 1904 (33 Stat., 525), an apparently more practical method of obtaining title was provided. It was this act that entered most into the question before the committee. The steps to be taken by a claimant seeking to obtain coal land under it were:

First, location. This was effected by going upon the land and taking actual possession and opening up and improving a mine.

Second, notice of location. Within one year from location there had to be filed for record in the recording district, and with the register and receiver of the land district in which the lands were located, a notice containing the name or names of the locator or locators, the date of location, and a description of the lands located.

Third, entry. Within three years from the date of notice of location, application had to be made to the register and receiver at the local land office for patent, accompanied by a certified copy of plat of survey and payment of \$10 per acre. Notice of the application had to be posted on the land and be given publication for 60 days in a newspaper. After the entry was complete, a final certificate was issued to the entryman, and he was vested with the complete equitable title to the land, if the provisions of the law had been complied with in good faith. Only the bare legal title remained in the Government, and the entryman might sell, dispose of, or encumber his interest as he desired. With the issuance of the patent he became the owner of both the full legal and equitable title. Previous to the time of the issuance of the patent the Department of the Interior retained jurisdiction of the proceedings, and might, for after-discovered defect or fraud, cancel the entry after a hearing before the proper officials of the department. After patent issued, the department loses jurisdiction and the patent can only be canceled by action of the courts, but never as against an innocent purchaser who purchases without notice of the fraud.

By the terms of the act, an individual could not acquire more than 160 acres, but under construction placed upon the act by the Secretary of the Interior an association of qualified entrymen could acquire title to 320 acres, and where the association was composed of not less than four persons and the amount expended in improving the mine was not less than \$5,000, 640 acres could be acquired by such an association.

The terms "entry," "entryman," and "location" have both a popular and a technical meaning. An "entry" is, technically speaking, the final act before the patent which lodges in the claimant the equitable title, but in a popular sense it is the initial act toward obtaining title to the public land, and the term "entryman" is often applied to any person who has taken that initial step.

The better term to apply to the person who has only taken the initial steps and is progressing toward entry is "claimant," and the land in which he possesses an inchoate right is properly called a "claim;" but not alone by the people generally, but also by officials of the General Land Office, are these terms "claimant" and "entryman" and "claim" and "entry" used, both in their technical and their popular sense, and in almost every instance where the terms appear in a document or other report the context must be resorted to to determine the sense in which they are used.

The following was the form of application for patent provided by the General Land Office:

I, _____, claiming under the provisions of the act of April 28, 1904 (33 Stats., 525), amendatory of the act of June 6, 1900 (31 Stats., 658), extending the coal-land laws to the District of Alaska, do hereby apply to purchase the lands described in the accompanying field notes and plat and subject to sale at the district land office at _____, Alaska; and do solemnly swear that my title to said tract is as follows, _____, as will more fully appear by the certified copy of location notice and abstract of title filed herewith; that I am above the age of 21 years, and a citizen of the United States; that I have not hitherto held, except _____, or purchased, either as an individual, or as a member of an association, any coal lands under the provisions of the coal-land laws; that I have expended in developing coal mines on said tract, in labor and improvements, the sum of \$_____, the nature of said improvements being as follows: _____; that I am now in actual possession of said mines and make entry in good faith, for my own benefit, and not, directly or indirectly, in whole or in part, in behalf of any person or persons whomsoever; that I do furthermore swear that I am well acquainted with the character of the said described land, and with each and every portion thereof; that my knowledge of the said land is such as to enable me to testify understandingly in regard thereto; that the said land contains deposits of coal; that there is not, to my knowledge, within the limits thereof any valuable vein or lode of quartz or other rock in place bearing gold, silver, copper, or other valuable minerals, and that there is not within the limits of said land, to my knowledge, any valuable deposits of gold, silver, copper, or other minerals. So help me God.

This requirement was made by the Land Office to carry out the intent and spirit of the law and to prevent fraud and imposition. It was a regulation within the power of the office to make, and had all the force and effect as if written into the statute. It was the stumbling-block of the Alaska coal claimant. It absolutely prohibited an agreement among claimants before entry to combine and operate their mines after entry, except as allowed by law.

When Ballinger became commissioner there were on file in the Land Office charges of fraud against coal-land entries in Alaska:

First. A letter of Special Agent Love, of the Land Department, dated October 6, 1905, in which letter Love set out various schemes under which coal lands were being entered in Alaska.

Second. An affidavit made by one David Lawrence White, dated September 6, 1905, at Katalla, Alaska.

From the affidavit of White it appears that one A. S. Stracey, local manager and representative of the Pacific Oil & Coal Co. (Ltd.), commonly known locally as the "English company," was engaged in hiring people, some of whom are designated in the affidavit, for the purpose of entering 160 acres each of the coal land in Alaska for the benefit of the said company, and that they were to receive for this the sum of \$100 each, and that they were also paid at the rate of \$2.25 a day for doing assessment work upon such land.

Third. There were also on file letters from M. S. Duffield, one dated November 9, 1905, and another letter dated May 20, 1906, both written from Valdez, Alaska, setting forth with some particularity that Frank Watson, an attorney at Seattle, Wash., as the representative of certain Chicago capitalists had taken steps to secure 13,280 acres of Chickaloon Creek coal lands on the Matanuska River, Alaska; that in making the applications for these lands 83 names had been used, some of these names alleged to be those of people living in Seward, and the others were Seattle laborers.

This documentary evidence was on file in the Land Office when Mr. Ballinger became Commissioner of the General Land Office, and it will therefore be seen that if the statements contained in the affidavits of White and the letters of Duffield were true, the parties attempting to acquire coal lands in Alaska in this manner, to wit, the "English company" and the Chicago capitalists, were engaged in a criminal conspiracy, the object of this conspiracy being to illegally acquire title to coal lands contrary to section 5440 of the Revised Statutes of the United States.

There was also on file in the Land Office a letter written on June 21, 1907, by Fred Dennett, Acting Commissioner of the General Land Office, to Horace T. Jones, special agent of the General Land Office, then at Portland, Oreg., in which letter the acting commissioner refers to the evidence on file and to the foregoing letters of Duffield and the affidavit of White, gives the substance of them and the effect if the charges contained therein were true, and also setting out the coal declaratory statement made by the parties of that location, and in addition thereto inclosed a copy of other letters and writings referring to charges of fraud in other coal-land entries in Alaska. In this letter the acting commissioner instructs Jones to make a thorough, complete, and energetic investigation of the charges contained in Duffield's letters, and also referred to White's affidavit, and also instructed him to investigate any other like violation of the law in reference to the coal entries in Alaska, and commanded him to do this to the exclusion of any other business and to confine his efforts to these investigations until he had thoroughly covered the whole field of investigation. Jones was also instructed in this letter to give some attention to consulting the decisions of the Supreme Court upon the question of conspiracy and perjury and subornations of perjury, and cites in this letter as a guide the case of the United States v. The Trinidad Coal & Coke Co., and commands him to do this before he commences to investigate in the field. He also calls his attention to the statute of limitations and asks him to keep this in mind in making his investigation. He further states to him that he has been selected for this work because the office believes that he has the necessary ability and integrity, and he is authorized to travel and incur expenses in making this investigation and is instructed to take affidavits and requested to submit preliminary reports of progress in making this investigation. It also increases his salary and his expense account, so that the investigation might be made thorough.

On receipt of this letter Jones at once started the investigation. And at about the time that Jones received this letter from Dennett, Mr. Ballinger, the Commissioner of the General Land Office, was in Seattle, Wash., and Jones had several conferences in Seattle with Commissioner Ballinger in relation to the investigation of the fraudulent entries of coal lands in Alaska.

Prior to this conversation with Jones in relation to the fraudulent coal entries in Alaska, Commissioner Ballinger had information from other sources concerning coal-land frauds in Alaska, as in this testimony, on page 3562 of the record, he says:

So far as the records of the General Land Office are concerned, I think there was but little information regarding the situation of coal lands in Alaska. All of the coal lands in Alaska, except those where locations had been made prior, I think, to November, 1906, were withdrawn from entry—absolutely withdrawn from entry. There were certain gentlemen here from Alaska during the winter or spring when I took charge of the General Land Office who were here perennially from Alaska, who were interested in coal lands up there, and I got some information from those gentlemen, but I had very little knowledge of the actual field conditions, and the General Land Office had very little knowledge. It was, I think, in the spring of 1907 that Mr. Schwartz and myself conferred regarding that matter—as to the importance of getting acquainted with the situation there. You understand that until entries were made in this field nothing came to the General Land Office. The surveys had to be made and reported into the local land office at Juneau, and then, after entries were made, they were reported to the General Land Office here, and until those reports came in there was practically no information in the General Land Office regarding the coal claimants attempting to exercise rights in Alaska. I think the only entries that were pending while I was commissioner were the 33 entries now called the Cunningham coal entries.

Mr. Ballinger says he left Washington about June 16, 1907; went to Denver, and from there went to Seattle. He admits that while he was in Seattle he had several talks with Jones and with Love regarding the scope of the investigation Jones was to make of the coal-land entries in Alaska.

Jones says (record, p. 995) that in one of his talks with Mr. Ballinger in July, 1907, after he had been assigned to the work of investigating the coal entries in Alaska, Ballinger stated that he did not consider it just that parties who had put in so much money developing these claims, and where stock had been sold to probably innocent people, and so forth, that they should lose the title, and if there was any way of passing laws so that these people could get these coal claims, be believed in doing it.

I told him that it might work a hardship on some people, but that I did not believe in having laws if they were not to be enforced, and that the laws were to the effect that a man could not combine and sell stock in something that he did not own and had no title to.

This conversation is denied by Mr. Ballinger, and he says that it never took place.

In August, 1907, Glavis became Chief of the Field Division in the district of Portland, Oreg., and was the superior of Horace Tillard Jones, who was assigned to work in investigating the

coal-land frauds in Alaska, it being Mr. Jones's duty to report to Mr. Glavis all the matters pertaining to his work.

In August, 1907, Mr. Jones reported to Mr. Ballinger, in relation to the investigation of the coal-land frauds of Alaska, among other things, that he had made a trip to Juneau, and he had a complete list of the coal-land filings in the United States Land Office; he also reported that on June 22, 1907, H. K. Love, special agent of the General Land Office, was directed verbally by Mr. Ballinger to join Mr. Jones in the investigation of these coal-land entries, Mr. Love attending to the Seattle portion of the work and Mr. Jones covering that portion of the investigation done at Spokane, Wash., and Portland, Oreg. On August 2, 1907, Love reported on his work investigating coal-land frauds as follows:

SEATTLE, WASH., August 2, 1907.

The honorable COMMISSIONER OF THE GENERAL LAND OFFICE,
Washington, D. C.

SIR: I have the honor to state that the following persons have recently, through Clarence Cunningham, as agent, entered at the land office, Juneau, coal lands within the Kyak recording district (Katalla), Alaska: J. G. Cunningham, Fred C. Davidson, Michael Deneen, F. Cushing Moore, Orville G. Jones, C. J. Smith, Walter V. Moore, Francis Jenkins, Ignatius Mullen, Horace C. Henry, F. E. Johnson, Alfred Page, Arthur D. Jones, N. B. Nelson, Frank A. Moore, John A. Finch, A. B. Campbell, Henry White, B. C. Riblett, Charles Sweeney, Henry Wick, William E. Miller, Hugh B. Wick, Henry W. Collins, and Henry M. Scofield. Also an entry by Cunningham in his own behalf.

These are pending in your office on applications for patent. In a recent conversation with Mr. Cunningham, who is fully informed on all matters past and all future plans of his principals, he stated that it had always been the hope of several persons that arrangements might be effected after entry for the joint working of the lands, and that since entry in the local office an effort had been made by him to secure the formation of a company from amongst the entrymen for the purpose of developing and operating a coal mine of the tracts so entered; that for such a purpose a meeting of such entrymen was recently held at Spokane and a committee appointed for the promotion of such an organization and to secure the transfer of the various holdings to a trust company, subject to the perfection of such plans; that such is now in the course of formation.

At different dates I have recommended to the register and receiver, Juneau, the allowance of the applications of the above entrymen. I believe the action of entrymen toward the formation of a company pending patent, as above set out, to be allowable under the law, but deem it proper to lay the information before you.

Very respectfully,

H. K. LOVE,

Special Agent of the General Land Office.

In this investigation Jones had taken 25 statements from different persons representing 523 filings, among them being what is known as the Cunningham group of mines, consisting of 33 entries. Mr. Jones, on August 10, 1907, made a written report of the investigation to the Commissioner of the General Land Office, and refers to the several conversations with the commissioner in Seattle, Wash. (record, p. 49), and that the commissioner decided that it would be sufficient for the time being to take statements from two or three persons representing each group of entrymen, and, in this way, obtain a general idea as to how far parties taking coal lands in Alaska were complying with the requirements of the law with reference to obtaining title thereto. (Record, p. 49.) Among other things, this report says:

A complete list of all filings made up to the time of the departure of Special Agent Jones from Juneau, Alaska, about July 17, 1907, will be forwarded in a short time with as many street addresses of locators as can be secured.

In view of the fact that the majority of the statements taken in this matter seem to indicate that the lands which are subject to this investigation appear to have been taken under, to say the least, a misapprehension of the rights of the parties to combine and locate together under one financial arrangement, it is respectfully recommended that a strict investigation be further made of each and every locator's connection with other locators in the groups mentioned above.

Mr. Jones again, on August 13, makes another report to Glavis, in which he gives a list of names, with the city and State address of the applicant, "for use by your office in further investigation of frauds in coal lands in Alaska." This report says, among other things:

From the talk of different attorneys and individuals interested in the Alaska coal lands, I feel that the disposal of the lands all tends toward one direction, and that is the Guggenheim companies.

It further says:

On the eve of my departure from Seattle, Wash., I met M. A. Green, one of the agents handling a large body of coal lands in Alaska. Green said that he had put considerable money into the lands located by C. H. Doughten, and that Doughten was going to sell most, if not all, of the claims located by individuals to individuals. This may be true that the law allows an individual to make an assignment of his claim, but it does not allow one man to locate 40 or 50 claims for as many people and advance the money for the development and improvements of the land for the sole purpose of selling the claims for an advance. I do not believe that there is any rule of the General Land Office or of the Department of the Interior that allows a man to traffic in the public lands of the United States by getting others to loan their names in order to advance the personal interests of the agents.

I would therefore again recommend that these entries be carefully investigated by an experienced and fearless agent.

On November 5, 1907, L. R. Glavis, Chief of the Field Division, transmitted to the Commissioner of the General Land Office the

report of Special Agent Jones, dated November 1, 1907, in which report, among other things, he says:

I am taking the liberty of again calling to your attention the fact that during my recent investigation of the Alaska coal-land situation it was found of the few groups examined that few, if any, of the applicants were complying with the requirements of the law and the rules and regulations of the General Land Office and of the Department of the Interior respecting the purchase of coal lands.

In this letter of November 5, 1907, Glavis requests that the Alaskan coal-land question be assigned to him for investigation. On November 12, 1907, Glavis wrote the Commissioner of the General Land Office in relation to the Alaska coal-land entries, which letter, among other things, contained the following:

In investigating this case I find that Clark Davis and his associates are the owners of the Katalla Petroleum & Coal Co., who are endeavoring to secure large tracts of coal lands near Katalla, Alaska, and from my conversation with young Mr. Davis there can be no doubt that the company are endeavoring to acquire more coal land than they are entitled to under the law. At this time I endeavored to secure an affidavit from young Mr. Davis in regard to their coal claims, but he refused to make any, stating that during your visit to Seattle last summer that the matter had been thoroughly explained to you, and that you had advised them not to make any statement until charges had been made, in order that you would know what they had to meet. Mr. Davis undoubtedly misquoted you in this respect, or they had failed to give you all the facts in the case. I would therefore respectfully recommend that if it is desired that I further investigate these protests that I also be authorized to thoroughly investigate the coal-land filings and entries made by the said Clark Davis and his associates.

On December 12 the commissioner approved the entry for the patent of Clark Davis without further investigation. (Glavis charges, p. 34.)

About December 1 Glavis received a telegram to proceed to Washington, which he did. Upon his arrival in Washington, on December 12 or 13, 1907, Mr. Glavis received from Mr. Schwartz all the papers, reports, letters, and so forth, that were on file referring to the Alaska coal-land cases, all of which he looked over and studied carefully, and of those of which he did not have copies, copies were made for him. He put in about seven days in this work in the department.

Mr. Glavis, subsequent to this work and before going West, had a conference with Mr. Ballinger and talked over the whole situation—claims that were made, and the charges that were made of fraud in connection with the coal lands of Alaska, and talked over with Mr. Ballinger the importance of proceeding to a full investigation of the coal-land interest in Alaska. As a result of this conference, and the statements to Mr. Ballinger, the Commissioner of the General Land Office, Mr. Ballinger, on December 28, 1907, wrote to Mr. Glavis the following letter:

WASHINGTON, D. C., December 28, 1907.

MR. LOUIS R. GLAVIS,

Chief of Field Division, Portland, Oreg.

SIR: While you were on duty in this office during the current month you were supplied with a complete copy of all papers, records, and files bearing upon the charges of irregularity in reference to the entry and acquisition of coal lands within the District of Alaska, and you were directed to take over the investigation of these alleged irregularities and take the action necessary in each instance to protect the interests of the Government in the Alaska land; and you were likewise directed to take up with the proper United States attorney the question of criminal proceedings against any parties liable under the law.

The original charges that coal lands were being acquired illegally in Alaska were made to Special Agent H. K. Love, and on June 21, 1907, Special Agent Horace T. Jones was directed to make the necessary investigations in these cases. The original letter to Mr. Jones (by him returned with his report) is hereto attached. You have already been supplied with copies of the reports made by Special Agents Love and Jones, and of the report of Chief of Field Division Colter, as to the operation of certain Chicago parties.

As soon as you deem it advisable, you will notify Special Agent H. K. Love that you have been placed in charge of the investigation of matters relating to Alaska coal lands, and that he will perform such services in regard to those cases as you may direct, reporting to you in the premises. In the meantime, this office has directed Chief of Field Division Samuel T. Colter to visit Detroit, Mich., and there to make an investigation of the facts and circumstances under which a large number of residents of that city made coal declaratory statements for Alaska coal lands. As soon as Mr. Colter's report is received the same will be reported to you.

You will, from time to time and as rapidly as possible, make separate reports upon individual entries, or separate group of entries, to the end that action may be taken without further delay.

Respectfully,

R. A. BALLINGER, Commissioner.

According to the testimony of Mr. Glavis, this occurred on the 28th day of December, 1907, when he was instructed to make this thorough and special investigation. Yet the testimony shows that on the 4th day of January, 1908, seven days after this talk was had, the Commissioner of the General Land Office makes an order clear listing these Cunningham entries. In other words, on the 28th of December, 1907, he instructs Mr. Glavis to pursue his investigation of these charges of fraud against the coal-land entries of Alaska, and within seven days thereafter, without any change either in the law or in the facts, the record in his office remaining the same, he makes another order clear listing the same entries and ordering them to patent.

Now, either one of those two orders was inadvertently made, to say the least. The order to Glavis had for its object the preservation of this property to the people; it had for its object an investigation of the charges of fraud and the contemplation of proceedings that would result in setting aside and vacating these entries and restoring these lands to the people. The order made on the 4th of January, without change of fact or law, had for its object the transferring of this property from the Government to these entrymen.

According to the testimony of Mr. Schwartz, the Chief of the Field Division, who was present at the time this clear-listing order of January 4 was made, the following took place: He says, "Only three minutes time was consumed by Mr. Ballinger and myself in determining to make this clear-listing order." He says at the time the clear-listing order was made one of the Cunningham entrymen, ex-Gov. Miles C. Moore, was present; that Miles C. Moore was a particular friend of Mr. Ballinger as well as many others of the claimants; that Mr. Ballinger called for the files in relation to these charges, and he says the files were produced, but it consisted solely and only of the report of Mr. Love, which was heretofore read, and that upon the strength of that report of Mr. Love he clear listed these lands.

The order clear listing the lands was dated on the 4th of January. The testimony, however, shows that the verbal order to clear list the land was made on the 26th of December, two days before the order was given to Glavis to pursue this investigation further—a very strange and a very unusual procedure on the part of an official. First, he clear lists, which means the lands are ordered to patent; and if that is done, it takes the land away from the Government and transfers it to the entrymen, and the matter is ended; the Government has no control over it in any shape or manner; it becomes the private property of those entrymen. The other proceeding had for its object the doing of the reverse, namely, the vacating and setting aside of all claims which these people made to the property and of restoring it to the people.

It is therefore apparent that the order clear listing these lands was made without due consideration and for the purpose of aiding and assisting his friend, Miles C. Moore, who was one of these claimants.

When Mr. Ballinger and Mr. Schwartz made the order, on January 4, 1908, clear listing the Cunningham coal entries, as Ballinger says, "on the strength of the Love report," Schwartz knew that these entries should not be clear listed. He knew all about these entries then, and he knew that they were fraudulent. There could be no dispute about this fact as to Schwartz, because this is established as being true by Schwartz himself in his letter to Samuel J. Colter in October, 1909 (record, vol. 5, p. 3810), wherein he says:

Now, Glavis knew that I had either signed or had initialed practically every letter in relation to the Cunningham claims, and he also knew then and knows now that I have always been of the opinion that the Cunningham claims were fraudulent and would be canceled, and have given him every assistance he ever asked for in his investigation, and he has himself never entertained any suspicion that I had ever been in bad faith in any respect in reference to this or any other public-land matters.

If this statement of Schwartz is true, he at least then knew that these entries should not be clear listed. Did Schwartz withhold his knowledge of the fraudulent character of these entries from Ballinger? If so, why? Here was a special meeting between the Commissioner of the General Land Office and the Chief of the Field Division, consulting over millions of dollars' worth of property belonging to the Government which private individuals were endeavoring to acquire from the Government, and these officers were charged by law, on their oath, with the duty of determining, first, whether the claimants of these lands had complied with the laws governing claims to this class of property, and it is fair to presume that in their deliberations, if they were both acting honestly and fairly, that one would call to the attention of the other all the facts within his knowledge bearing on all matters that affected this valuable property. Schwartz says in the Colter letter above referred to that he had signed or initialed practically every letter and order in relation to the Cunningham entries. From this statement of Schwartz he can not claim that in his assisting in making the clear-listing order he acted solely upon the Love report. Every record on file at the time it was made spoke emphatically against the making of the order, and all of the knowledge and information that Ballinger and Schwartz had received from other sources likewise spoke in emphatic terms against the making of this order, and all the documents then in existence pertaining to these entries and all the information furnished them concerning these entries were unfavorable to the act about to take place. They failed in the conscientious discharge of their duties and

yielded weakly to the attempts of their friends to acquire unlawfully these valuable coal claims.

The testimony of Mr. Ballinger on page 3571 of the record shows that at the time the clear-listing order of January 4, 1908, was made Miles C. Moore, ex-governor of the State of Washington, called on Commissioner Ballinger in relation to the Cunningham group of claims. Ex-Gov. Moore was one of the entrymen in this group. He was materially interested in having patents issue for these entries. The commissioner says that when Moore called to find out about the matter he had sent for Mr. Schwartz, then Chief of Field Division of the General Land Office, and that Mr. Schwartz brought to him (Ballinger) the Love report of August 2, 1907, hereinbefore set out. He says that—

We together looked the Love report over as to its effect, and it was concluded by us that it was a favorable report upon the claims that were covered by it. Mr. Schwartz also stated to me in the same conversation that these claims had been favorably reported through the local land office. As the entries showed me they were favorably reported on, and I took it that the Love report was a mere summary of what had been done by Love in favorably reporting through the local land office at Juneau the various claims covered by these entries.

Without any order being made, it was considered by Mr. Schwartz and myself that the Love report was a favorable report, and that no protest existed against these claims. As Mr. Schwartz and I discussed the matter, we found no protest against it.

He says:

I recall distinctly Schwartz coming to my office with it, and we read it over together, and it is possible that Mr. Moore was in the office at that time, having come in a second time to make inquiry as to the status of the claim.

He further says:

I wish to say now if I were passing upon the same report I would say that these claims would be entitled to be clear listed upon the record that was before me and before Mr. Schwartz.

Mr. Ballinger further testifies that he was personally acquainted with some of the entrymen of the Cunningham group; that he knew C. J. Smith, a real-estate and coal-mine owner of Seattle, at one time receiver of the Northern Pacific Railway Co.; Horace C. Henry, chairman of the board of directors of the National Bank of Commerce; and N. P. Nelson, of Seattle, Wash.; Mace Campbell and John Finch, of the firm of Finch & Campbell, bankers, of Spokane, Wash.; Henry Wick, of Columbus, Ohio; Miles C. Moore, of Walla Walla, ex-governor of Washington, and that in the fall of 1908 he met and became acquainted with Clarence Cunningham, the promoter of this group of mines. Others of the Cunningham entrymen were Frederick H. Mason, president of the firm of Holly, Mason, Marks & Co., of Spokane, Wash.; Henry White, vice president of the First National Bank of Wallace, Idaho; Byron C. Riblett, of Spokane, Wash., president of a corporation engaged in building tramways in the United States and Canada; Frank Johnson, president of the National Bank of Wallace, Idaho; Orville D. Jones, of Wallace, Idaho, proprietor of a large mercantile business; Amasa B. Campbell, principal owner with John B. Finch, of the First National Bank of Wallace, Idaho; Charles Sweeney, of New York, formerly of Spokane, ex-president of the Federal Mining & Smelting Co.

The testimony of Glavis, Jones, and Love and the records in the office all show that Mr. Ballinger was mistaken when he said that he clear listed these entries solely on the Love report of August 2, 1907.

First. Because the Love report of August 2, 1907, shows specifically on its face that there was an unlawful agreement entered into between these entrymen, by the terms of which each one of the entrymen was to share in the land covered by the entry of the other.

Second. Because the reports of Jones and Glavis show, as well as the entries in their daily diaries, which each one was required to keep in reference to the work they were doing, that they each conferred with Commissioner Ballinger, talked over with him the investigation they were making of the Cunningham coal entries.

Third. The letter of Special Agent Love to Glavis, on page 10 of the record, wherein he says:

After entry, to wit, August 2, 1907, I advised the General Land Office that Cunningham had informed me of efforts pending, initiated subsequent to entry, looking to the promotion of a company and the pooling of the lands. This was because, in a conversation in his office at Seattle, Judge Ballinger stated that such a proceeding prior to issuance of patent was not allowable, and it was plainly my duty to advise of such a material fact.

Fourth. The affidavit of Mason and Campbell and other affidavits referred to in the evidence all tended to show that Commissioner Ballinger had specific knowledge of acts of fraud committed by these entrymen. The reports of Jones and Love both showed that they consulted with Commissioner Ballinger in regard to the investigation of the Cunningham claims and talked with him concerning the facts that they had discovered, and were advised by him in regard to the scope of the investi-

gation. His letter of December 28, 1907, to Glavis, after Glavis said they had talked the matter over fully, Glavis being called to Washington to prepare himself for this investigation, going through the records and files in the office, talking over the matter with Ballinger, advising with him, as he says, in regard to it, conferences with Schwartz in relation to it, and finally the placing of the whole further investigation of the matter in charge of Glavis by the commissioner himself, show that he had personal, actual knowledge from his field officers that these entries were fraudulent.

Ex-Gov. Moore certainly exercised some influence with the commissioner when this order was made. He was an interested party and a friend. He was there at the time the clearing order was made. He was there for the purpose of having it made. His friend had the power, and while up to that time Ballinger apparently had been hostile to the entries he suddenly, without any change in the law, became very friendly to the Cunningham claimants.

The testimony shows that on the 26th day of July, 1907, at Spokane, Wash., 23 of the Cunningham claimants held a meeting for the purpose of starting negotiations for the sale of the interest of the combined claimants to the Morgan-Guggenheim syndicate, and appointed a committee of three to conduct such negotiations; that on the 20th of July this committee made an option offer to the syndicate in writing. This committee consisted of A. B. Campbell, one of the Cunningham entrymen, Miles C. Moore, ex-governor of Washington, and Clarence Cunningham, the promoter.

This contract is found on page 2132, volume 3, of the testimony taken at the hearing. In and by the terms of this contract Campbell, Cunningham, and Moore, acting for themselves and certain other persons associated with them, made representations and proposals to Daniel Guggenheim, of the city of New York.

This contract recites that Cunningham, Campbell, and Moore, with 30 other persons, have acquired, by purchase, from the United States Government, under the coal-land laws, 33 tracts of coal land, of 160 acres each, aggregating 5,280 acres, situated in the Kayak recording district of Alaska; that the title to these lands rests in final United States receiver's certificates of entry, issued to each of said 33 persons, and that the papers in application for patent are now before the Commissioner of the General Land Office for his action thereon. The contract, among other things, provides that they propose to Mr. Guggenheim:

1. That a corporation be formed under the laws of some State of the Union, the capital stock to be unassessable and no individual stockholders' liability.

2. The capital stock shall be \$5,000,000, divided into 50,000 shares of the par value of \$100 each; the board of directors to consist of seven, three from the entrymen and three from the Guggenheims, and these six directors to elect the seventh.

Further, the title to all the properties, with water rights, shall be transferred to said corporation in consideration that there shall be issued to the entrymen 25,000 shares of the capital stock. The other 25,000 shares of the capital stock shall be deposited in escrow with the Bank of California, in Seattle, to be delivered to Mr. Guggenheim or his nominee, upon his payment to said depository to the credit of said corporation the sum of \$250,000, to be used as a working capital, to be expended in the equipment, development, and operation of the properties. The Guggenheims are given the exclusive right to purchase for the period of 25 years the entire run of the coal mined from said property, or such amount thereof as the said Guggenheims may require, for the sum of \$2.25 per ton of 2,240 pounds; the coal to be delivered at the mines either in bunkers, to be provided by the corporation for that purpose, or upon the cars of said Guggenheims.

The contract further provides, among other things, that the said Guggenheim shall have 20 days from the date hereof in which to determine whether or not he will cause an examination of said properties to be made with a view to the acceptance of this proposal. If such an examination proves satisfactory, he shall notify the vendors of such determination, by telegram addressed to Clarence Cunningham, at Seattle, Wash. Thereupon, if he elects to proceed with such examination, he shall be allowed the period of four months thereafter to inspect the properties and investigate the titles thereto. If such inspection and examination prove satisfactory, he shall give notice of his final acceptance of this proposal by telegram, addressed to Clarence Cunningham, Seattle, Wash.

Thereupon the terms of this proposal shall be deemed binding upon all of the parties, and shall be carried into effect according to its tenor and purport.

It is understood, however, that said vendee shall not be required to proceed with said examination unless all of the 33 of the owners of said coal-land entries, or so many thereof as shall be satisfactory to

said vendee, shall have conveyed their prospective properties to said trust company, and said trust company, under the direction of said committee, and as the holder of title to said properties, have accepted the terms of proposal, and obligated itself to unite with said vendors in carrying the same into effect, in the event the examination of said properties and titles shall prove satisfactory to the vendee, and he shall elect to finally accept the same.

Witness our hands in duplicate this 20th day of July, 1907.

A. B. CAMPBELL,
M. C. MOORE,
CLARENCE CUNNINGHAM,
For Themselves and as a Committee
Representing their Associates.

Signed in the presence of—
S. W. ECCLES.
CURTIS H. LINDSEY.

A few days before this option contract expired, to wit, on December 7, 1907, Mr. Daniel Guggenheim wired Cunningham that he accepted the offer made July 20, 1907, and at once Cunningham wrote Mr. Burch, the syndicate's agent in Seattle, about receiving such notice, and in his letter says, among other things, "I trust our patents may soon arrive, so that we may take up active development." Getting the claims to patent speedily was now the object and purpose of Gov. Moore, Clarence Cunningham, and the other entrymen, and for this purpose and to this end Gov. Moore came to Washington. The acceptance by Guggenheim of the option was the reason for Moore's trip, and he was undoubtedly anxious that that contract should become binding and be of force and effect. While Moore was in Washington the testimony shows that he conferred with Ballinger in relation to the patenting of these entries. He had more than one conversation with Ballinger—Ballinger says at least two that he remembers; one, he thinks, on the 26th and the other on the 28th, when Schwartz was present. He thinks that the conversation between Schwartz, Moore, and himself lasted only two or three minutes. At least Schwartz swears in his testimony that it was only two or three minutes long, and that during that time a stranger was present, whom he afterwards knew to be Gov. Moore. That all that was discussed in that conversation of two or three minutes long was the Love report of August 2, 1907, and nothing else, and it was agreed that that report clear listed the Cunningham entries, and upon the strength of that report patents were ordered to issue. The effect of the Love report was not to clear list these lands. Love, when charged with having clear listed these lands by Commissioner Dennett, says in his letter, on page 803 of the testimony, among other things:

I beg your pardon; that report did not clear list those entries for patent; but, on the contrary, raised a question as to their regularity.

The testimony of A. H. Storrs, an engineer in the employ of Mr. Guggenheim, shows that a conservative estimate of the tons of coal in this group is 50,000,000 tons, and says it is a good quality of steam coal. Mr. Andrew Kennedy, a Government coal expert, estimates the quantity of coal on these lands at 90,000,000 tons. The veins, he says, run from 2 to 26 feet in thickness, and that the coal is good steam coal.

The evidence shows that Cunningham kept a journal in which was entered the amount of money paid in by each of the entrymen and how it was expended, and from this journal and from the statements of Cunningham it shows that the line of conduct of the claimants indicated a well-understood arrangement to operate their properties in common. Cunningham was the promoter, and it is very evident that each and every one of these business men who constituted the Cunningham group of entrymen thoroughly understood before they invested their money that they were to work these claims in common. Cunningham so states and the journal so shows the scheme to be a combining of the claimants together and to operate the properties in common by means of a corporation or association. There was a community of interest, a working together, an understanding by which each claimant had an interest in every other claim. Cunningham told this to Glavis, he told it to Jones, and stated so in his affidavit. This was not Cunningham's first venture. He was a prospector and miner. He had before prospected the Bering River field for himself and certain associates and had 22 claims surveyed and was in possession of them previous to his location under the act of 1904 under a pretended claim that he could prove them up under the general mining laws.

He claims to have proceeded in the first instance under the old "grubstake" plan. Nine men—Miles C. Moore, a former governor of Washington; Walter B. Moore, Fred Mason, J. G. Cunningham, F. C. Davidson, Michael Deneen, Fred Cushing Moore, O. D. Jones, and C. J. Smith—each contributed \$500 for the purchase of the rights of squatters and the expense of prospecting the field, and as a result of that prospecting the 22 claims were surveyed.

Cunningham had filed notice of location for each of his nine associates and also for 12 persons from whom he had no au-

thority to take a claim in their behalf. Some of them, among whom was Mr. A. B. Campbell, ratified his action and paid their share of expense. Those who refused were dropped and substitutes were secured. Of course, no rights were acquired by these proceedings. Whether Cunningham and his associates understood that or not is a matter of conjecture, but it is very probable they did and were simply endeavoring to hold the land as mere squatters to keep others off until opportunity was presented to acquire title in some way.

After the passage of the act of April 28, 1904, a new survey was made and 33 claims were located, and after a time 11 more claimants were secured, who joined the group, paid their pro rata, and were each given a claim. There can be no question from the evidence that Cunningham was the promoter in the first instance of a scheme to form an association to obtain title to the Cunningham group of claims, and after patent was secured to form a corporation and operate them as one mine. In the first place, the evidence discloses that the claims could not be operated as separate mines as a practical matter. Mr. Cunningham, who knows the claims better than anyone, in an affidavit made March 6, 1908, before L. R. Glavis, stated in effect that it was never the intention of the claimants to operate the mines separately and that it could not be done. He said:

We have an understanding that when the patent has been secured we would form a company for the development of the coal fields, but none of the claims were taken up for the benefit of a corporation, but merely with the idea that when titles were secured we would combine our claims and work the coal fields for ourselves. We have always proceeded with this end in view, for anyone familiar with coal mining well knows it is impracticable to mine an individual claim of 160 acres, especially in Alaska, where expenses are so great. (Hearings, p. 4253.)

He told Love that—

It had always been the hope of the several persons that arrangements might be effected after entry for the joint working of the land. (Love's report of Aug. 2, 1907, to General Land Office, Hearings, p. 323.)

The whole line of conduct of the Cunningham claimants from the first indicates a well-understood arrangement to operate their properties in common.

Cunningham has repeatedly admitted, in substance, that such was his scheme. He told it to Glavis and Jones in the above quotations from his affidavit. He has attempted to explain that away, but the explanations are very lame and do not agree with each other. All of the Cunningham locations were made between July 14, 1904, and August 15, 1904.

The order to Glavis, dated December 28, 1907, was made by Mr. Ballinger after more than five months of active personal participation by way of advising, counseling, and directing some of the agents employed in the investigations of the charges of fraud against coal-land entries in Alaska. Mr. Ballinger evidently made this order because he was satisfied that there was fraud of some kind being practiced by some of the parties seeking to acquire coal lands in Alaska, and further directs Glavis to take up with the proper United States attorney the question of criminal proceedings against parties liable under the law, and asks for rapid reports, so that action may be taken without further delay.

This order clearly shows that Commissioner Ballinger was at that time hostile to these coal-land entries, and that the record and other information possessed by him warranted action on the part of the Government looking to cancellation of these entries. All the evidence on file, all of the special agents' reports, all of the affidavits accompanying them, including Mason's and Campbell's (Glavis charges, p. 281), and the statements of Cunningham, the promoter of the group of mines bearing his name, tended to establish a conspiracy to obtain coal lands from the Government illegally.

On January 4, 1908, without any change in the facts or the law in relation to these Cunningham coal-land entries, Commissioner Ballinger orders 26 of these entries cleared of all charges of fraud and that patents issue therefrom to the entrymen. (Record, pp. 3571, 3572, 3573, 3574, 3575.)

The effect of the order clear listing these entries was to totally disregard all the evidence of fraud on file in the office, all of the work done by the agents of the Land Department, and to revoke the order of December 28, 1907, to Glavis to further investigate these entries with a view to canceling them. Here are two orders made by Commissioner Ballinger on a matter under consideration by him within seven days of each other directly opposite to each other—one a proceeding tending to preserve certain valuable property to the people, the other taking away this same property from the people. One of these orders was wrongfully made.

The verbal order to Schwartz, Chief of Field Division, to clear list these entries was made, according to Schwartz's testimony, on December 26, 1907, and put in writing by him for ac-

tion by Division N, known as the fraud division of the Land Office, January 4, 1908 (list, p. 45), and yet on the 28th day of December, 1907, two days after, he makes the order clear listing these entries from fraud and, in effect, ordering the patents to issue therefor; he, in writing, orders Glavis to further investigate these charges, and so forth, as shown by his letter (list, p. 44), which letter Glavis received, and which he says was simply putting in writing what he had before been verbally instructed by Commissioner Ballinger to do.

When we stop and think of the fact that both the testimony on behalf of the Government and the testimony of others shows that the amount of coal in these lands was from 50,000,000 to 90,000,000 tons, and when we further stop and contemplate that an agreement was entered into by which they had agreed to sell a one-half interest in these claims to the syndicate that was capitalized at \$50,000,000, we get some idea of the magnitude of the transaction that was taking place between Schwartz, the Secretary, and Miles C. Moore.

In their haste to complete this work they wired on January 7, 1908, to Juneau (Alaska) land office for plats of the survey of these claims which were missing. Not hearing from Love, they wired again. To this Love replied, "Plats sent 8."

No notice was given to Mr. Glavis about the clear listing of these lands until the 7th of January. When Glavis received a notice that these lands were clear listed, it was so in conflict with the instructions he had received that on January 22, 1908, he protested against the clear listing of these entries by telegram, as follows:

PORTLAND, OREG., January 22, 1908.

COMMISSIONER OF GENERAL LAND OFFICE,
Washington, D. C.:

Coal entries mentioned in your letter January 7 should not be clear listed. Letter follows.

GLAVIS, Chief.

The letter is as follows:

PORTLAND, OREG., January 22, 1908.

COMMISSIONER GENERAL LAND OFFICE,
Washington, D. C.

SIR: I am in receipt of your letter dated January 7, 1908, transmitting a list of coal entries, which, upon report of Special Agent Love, have been clear listed in Division P and referred to Division N for action, the names of the entrymen being as follows:—

During the summer of 1907 said entries, among others, were partially investigated by Special Agent H. T. Jones, who, under date of August 10, 1907, reported that from the preliminary investigation made he believed that the said entries were fraudulent and recommended further investigation.

Twice since making said report Mr. Jones has called your attention to the same, recommending further investigation of all the Alaska coal cases.

I am advised by Mr. Jones that Agent Love assisted him a little in the investigation of the coal cases, but he did not go to Spokane, where the claimants reside whose entries have been clear listed. Shortly after the preliminary investigation by Agents Jones and Love, I understand that Agent Love returned to Alaska, where he has remained since, but since there are not more than two or three of the entrymen in this group whom Agent Love could have interviewed in Alaska, I am unable to understand how he could intelligently report on said entries.

While in the office last month I was directed to take charge of all Alaska coal cases, among which were the foregoing entries, and, by your letter of December 28, 1907, you directed me to advise Special Agent Love that he would only do such work upon coal cases which I deemed it advisable for him to perform. Feeling that that matter was entirely left to my discretion, I immediately directed Mr. Love to take no further action unless otherwise directed. I did this because it was quite generally known that Mr. Love is an active candidate for appointment to one of the United States marshals in Alaska, and while not questioning his integrity, still his judgment is likely to be a little warped. While Mr. Love was in Seattle last summer he told Agent Jones that he was glad that he would not have to investigate the Alaska coal cases, because he had to live up there, and he did not desire the enmity of the people, some of those involved being his friends. For my enlightenment and assistance in the investigation of the Alaska coal cases, I have to respectfully request that I be furnished with Special Agent Love's reports upon the entries upon which he had made a favorable recommendation.

In view of Agent Love's political aspirations and because of the conclusions reached by Agent Jones in his preliminary report, I respectfully recommend that the order clear listing said entries be revoked pending my investigation. I expect to be able to submit a report thereon within a few months, so that the additional delay could hardly cause the claimants much hardship.

Very respectfully,

L. R. GLAVIS, Chief of Field Division.

The above telegram of Glavis seems to have been sufficient to stop all proceedings in the Land Department in relation to the patenting of these entries. Mr. Ballinger says on its receipt (record, p. 3576):

I immediately took the telegram and went across the street and saw Mr. Garfield, the Secretary, and showed him the telegram and advised with him as to whether or not it would not be the proper thing to do to have a further investigation of these claims—

Mr. Ballinger had already directed a further investigation of these claims—

He agreed with me, and I came back to the office, sent for Mr. Heltman, Chief of the Mineral Division, with whom the claims were pending, and directed that the papers be withdrawn by him and held by him subject to further orders, and I understand the papers have been in chancery ever since.

Why this consultation with Secretary Garfield after the receipt of the Glavis telegram? Garfield was not connected with making the clear-listing order, although it involved valuable property. There was nothing very startling about the Glavis telegram. It in no way changed the record he acted upon. It is evident Mr. Ballinger felt that he had done something wrong under the pressure of ex-Gov. Moore and wanted the support of Secretary Garfield in undoing it. If he was honestly satisfied of the justice of making the clear-listing order, there was nothing in Glavis's telegram warranting his revocation of that order. The statement of Jones that Ballinger proposed to secure legislation to help out coal-land entrymen in Alaska is borne out by the fact that Ballinger did appear before the House committee on March 3, 1908, the day before he retired, in support of a bill which was prepared under his direction and the passage of this bill was urged by him.

As none but the Cunningham claims had then proceeded so far as "entry," they are the only ones that would be benefited by the provision above referred to by Mr. Ballinger. There were eight sections in the bill. The first two vacated the withdrawal order made by President Roosevelt on November 12, 1906, and opened all Alaskan coal lands to settlement.

Under its provisions, if the Cunningham locations were held to have been made in good faith they could obtain patents for the 5,260 acres at the old price of \$10 per acre, but if the locations were held to have been made not in good faith they could still get patents covering the coal, but not the fee-simple title to the land, at \$10 per acre; that is, under section 2 they would not get the fee in the land, only the coal and the right to remove it, which, in view of the character of the land, seems to be a distinction rather than a difference, but they would probably have to relocate and pay the price of \$10 per acre over again. He knew this bill was satisfactory to the Cunningham claimants, for on March 31, 1908, Mr. Ballinger writes to Mr. Dennett from Seattle (record, p. 1600):

I find that the Alaska entrymen are in hearty accord with the main features of the Cale bill, and would like to see the same enacted into law.

Alaska "entrymen" included only Cunningham claimants. He referred to entries before the committee of Congress which could only have meant the Cunningham entries. (Record, pp. 3967-3968.)

This bill did not pass, but Congress did pass the bill known as the act of May 28, 1908.

He retired on March 4, 1908, and until March 4, 1909, engaged in the practice of law in Seattle, Wash. Assistant Commissioner Dennett, on Mr. Ballinger's retirement, became Commissioner of the General Land Office. So that when he had retired from the office of Commissioner of the General Land Office the patents to the Cunningham claims had not been issued. The telegram of Glavis had induced him to cancel the order clear listing these lands; and the lands, as he says, from that time on remained in chancery, and remain in chancery yet.

Now, it is material to know of his connection after he ceased to be Commissioner of the General Land Office, which he did on the 4th of March, 1908, and went into the practice of law in Seattle, Wash., for one year.

The testimony shows that while engaged in the practice of law between March 5, 1908, and March 4, 1909, he had much business before the Land Office, all of which he says was done gratuitously. In one case before the Land Office he appears on a brief as attorney with J. H. Ballinger, and his attention is called to the impropriety of his doing so by Assistant Secretary Pierce as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF FIRST ASSISTANT SECRETARY,
Washington, November 4, 1908.

MY DEAR DICK: On the 2d instant the department received a brief in the case of William D. Bales, signed by yourself and Jack, and also the appearance of both of you in the case as attorneys for Mr. Bales. The case has just been reached for consideration, and my attention has been directed to section 190 of the Revised Statutes of the United States and circular issued by the Secretary of the Interior interpreting this section of the statute. Inclosed please find circular. I also return the brief and the appearances of yourself and Jack. I have called the Secretary's attention to this case, and we both think that you should withdraw the appearance of yourself and Jack and also the brief. I have directed that the case be not considered until we hear from you again. Perhaps you will find it advisable to have some other counsel sign the brief and also the appearance.

Very cordially, yours,

FRANK PIERCE.

Hon. R. A. BALLINGER,
302 Alaska Building, Seattle, Wash.

Part of the circular referred to in Mr. Pierce's letter is as follows:

Laws and regulations governing the recognition of agents, attorneys, and other persons to represent claimants before the Department of the Interior and the bureaus thereof.

SEC. 8. No person who has been an officer, clerk, or employee of this department within two years prior to his application to appear in any case herein shall be recognized or permitted to appear as an attorney

or agent in any such case as shall have been pending in the department at or before the date he left the service: *Provided*, This rule shall not apply to officers, clerks, or employees of the Patent Office nor to cases therein.

There was an express statute barring Mr. Ballinger from appearing as an attorney or agent, or being in any way interested in any matters that came before him while he was Commissioner of the General Land Office, for a period of two years. Notwithstanding that law and the circular of the department in relation to it, he does appear in a matter he had before him while Commissioner of the General Land Office, files a brief, and signs his name to it with J. H. Ballinger.

On receipt of the notification from the Assistant Secretary of the Interior that his conduct was wrong in entering an appearance in a case which had been before him, on November 9 he sent the following withdrawal to the Secretary of the Interior:

NOVEMBER 9, 1908.

Hon. SECRETARY OF THE INTERIOR,
Washington, D. C.

SIR: We herewith withdraw our appearance and brief as heretofore filed in the case of William D. Bales, now pending on appeal before your department, and so notify you that our connection with said case as counsel or otherwise has entirely terminated.

Respectfully,

R. A. BALLINGER.
J. H. BALLINGER.

There can be no doubt as to how the department then viewed the matter, or that Mr. Ballinger acquiesced in that view.

It is claimed that section 190 of the United States Revised Statutes also covers the ground. This section reads as follows:

It shall not be lawful for any person appointed after the 1st day of June, 1872, as an officer or employee in any of the departments, to act as counsel, attorney, or agent for prosecuting any claim against the United States which was pending in either of said departments while he was such officer, clerk, or employee, nor in any manner nor by any means to aid in the prosecution of any such claim, within two years next after he shall have ceased to be such officer, clerk, or employee.

It is argued that this section of the statute applies only to money demands against the Government, and a number of departmental cases and other decisions are cited in support of that view. (Comp., p. 1493 et seq.)

It also appears that Mr. Lamar, afterwards Justice of the Supreme Court of the United States, when Secretary of the Interior held to the contrary, and gave reasons for his opinion which appeal to us with great force. (Comp., pp. 1491-1493.)

That his pecuniary interest might lead an ex-officer or ex-employee to make improper use of information gained by virtue of his employment seems to be the basis of the statute, and surely he might have as great pecuniary interest in a claim which did not involve a "money demand" as in one that did.

On March 6, 1908, after Mr. Ballinger had gone out of office and was practicing law, Glavis got possession of Cunningham's journal, and also procured an affidavit from Cunningham, which states, with regard to those entries made by himself and his associates, the following:

We have an understanding that when the patent has been secured we would form a company for the investigation of the coal fields, but none of the claims were taken up for the benefit of a corporation, but merely with the idea that when titles were secured we would combine our claims and work the coal fields for ourselves; we have "always" proceeded with this end in view, for any one familiar with coal mining well knows it is impracticable to mine an individual claim of 160 acres, especially in Alaska, where expenses are so great. As agent for the various coal claims, I am personally familiar with their ideas, having talked with them concerning the matter, and know that they are thoroughly familiar with the facts as stated in this affidavit.

The entry on the first page of Cunningham's journal is as follows:

WALLACE, IDAHO, February 1, 1903.

Have options on several coal properties in Alaska, having examined and sampled same in October and November last, with the result that I have agreed to take up the options, and am entering into verbal agreements with the subscribers and whose names will appear on the following pages, whereby each of said subscribers shall have one claim of 160 acres recorded in his name and will own same individually until such time as title can be secured for same. After this is done each subscriber agrees to deed his interest to a company to be formed for the purpose of developing and marketing said coal and receive stock in the said company in payment for same, but it is further agreed that each subscriber shall have one-eighth of his stock issued to Clarence Cunningham in consideration of his services in securing said land. This one-eighth interest to be issued to the writer of these pages is to be exclusive of his own holdings, upon which he agrees to meet and make his payments in common with all others who enter into this agreement, and it is understood to be one-eighth of the entire stock of the said company.

In carrying out the above plans the following subscribers paid amounts as follows, those paying first getting in at a lower rate than afterwards, when options were paid off and surveys made:

Then follows a list of names.

Cunningham says that he abandoned the plan outlined on page 1 of his journal in October, 1903, because he was advised by attorneys that it was contrary to the law, and took a salary instead of an interest, yet we find in this same journal, as late as March, 1905, one year and a half after he says he had

abandoned his subscription plan, this entry as to N. B. Nelson and Frank A. Moore, of Seattle:

Having 35 coal claims in our land, we sold one claim to each of the above parties, making 33 paid subscriptions.

Mr. Ballinger stated when he made the clear-listing order, or order to patent these lands, that it was done upon the strength of the Love report. The Love report shows an illegal agreement between these entrymen.

According to the letter of Love, dated February 17, 1908 (Glavis charges, p. 9), a witness called by Ballinger, Love had informed Ballinger of the Cunningham entrymen pooling their lands, initiated subsequent to entry, and that Mr. Ballinger stated to him (Love) in Seattle, Wash., that such a proceeding prior to issuance of patent was not allowable.

The act of pooling by entrymen, as shown by the entries in Cunningham journal and in the Love report, upon which Ballinger says he acted, and which on its face shows pooling, was held by Ballinger in July, 1907, to be illegal and unlawful.

In other words, on the 28th day of December, 1907, Mr. Ballinger specifically held that to be lawful and legal which he held in July, 1907, in relation to the same matter to be unlawful and illegal and to warrant a cancellation of these entries.

On September 4, 1908, Ballinger, as attorney, prepared for Cunningham an affidavit (list, p. 131), in which affidavit attempts were made to explain away the entries in the Cunningham journal with respect to agreement between the locators and the entrymen, and also explain away the force and effect of the affidavit taken by Glavis of Cunningham, showing that it was their intention to pool their interests in these entries, and that they had pooled their interests and were working the lands in common.

This affidavit is lengthy and goes into details, and it is admitted to have been prepared by Mr. Ballinger. It is further admitted that he took this affidavit personally and spoke to Mr. Dennett, who was then Commissioner of the General Land Office, about it in Washington. Secretary Garfield at this time was absent from Washington, and was at his home in Mentor, Ohio, and Mr. Ballinger made a trip to Mentor and had an interview with Secretary Garfield in relation to the matter, presenting to him the Cunningham affidavit, and endeavored to get from Mr. Dennett first a clear listing of these entries, and thereafter endeavored to get from Secretary Garfield an order clear listing most of these entries on the strength of this affidavit.

He also took up with Mr. Garfield a discussion of the method by which Glavis procured the Cunningham journal and the affidavit, to all of which Garfield turned a deaf ear, and in substance said the contents of the affidavit of Cunningham, drawn by Ballinger, did not appeal to him. Mr. Garfield then and there notified the Land Department under no circumstances to take any action in regard to the Cunningham group of mines until orders from him. And therefore Ballinger failed in his commission to Garfield.

He admits that for this service he received either \$200 or \$250, which he says was given him to assist in covering the expenses of traveling, and so forth, as Mr. Smith or Mr. Cunningham knew that he was coming East about this time and asked him to take this matter up with Garfield and Dennett. (See report, p. 38.)

The purpose of Mr. Ballinger's visit to Commissioner Dennett and to Secretary Garfield was to have them do in relation to the Cunningham entries the same thing that he had done on the 26th of December, 1907, on the 4th of January, 1908, to wit, the clear listing and patenting of the Cunningham group of mines. Mr. Ballinger may color all he desires this trip and this service that he performed for Cunningham, but the ultimate fact stands out clearly and strongly that on a matter that was before him officially as Commissioner of the Land Office he accepted a retainer and performed services within less than two years after he ceased to be Commissioner of the General Land Office.

It stands out strongly and specifically that he sought to have done while he was acting as the attorney for the Cunninghams that which he himself attempted to do while he was Commissioner of the General Land Office.

This fee was paid to him for the purpose of securing, if possible, through his influence and labor with Garfield and Dennett, these patents. Again, in a letter dated March 31, 1908 (Comp., p. 846), Ballinger tells of a call made at his office by Mr. MacDonald, who represented certain entrymen in the Katalla field in Alaska, that he gave him advice without compensation, and in this letter he mentions a call from Mr. C. J. Smith, one of the Cunningham claimants, regarding the claims in which he and ex-Gov. Moore were interested, and which he ordered to patent and afterwards verbally suspended. He says, among other things:

Mr. Smith may go to Washington hoping to jar loose these entries.

And then he says this:

I think it will be a mistake to continue to hold up the entries in this field against which no reasonable protests exist, and it would be good policy to speedily clear up the situation.

These are communications written by Ballinger to the Commissioner of the General Land Office. This and much other evidence before the committee shows that Mr. Ballinger had no delicacy, after he engaged in the practice of law between the time he was Commissioner of the General Land Office and the time he became Secretary of the Interior, in acting for persons who were interested in matters that had been before him officially while he was Commissioner of the General Land Office.

While Mr. Garfield was Secretary of the Interior, and a few months before his term as such expired, he withdrew from entry and settlement large tracts of public lands in Montana, Oregon, Idaho, Utah, and Wyoming. He made this withdrawal under the general supervisory authority of the Executive, in order to make certain that these lands should not be acquired under other laws than the right-of-way act and thus defeat the purpose of Congress, and also giving to Congress opportunity to so amend or modify the public-land laws that these particular lands might be devoted to their best use. On April 7 and 10, 1909, about 40 days after Mr. Ballinger became Secretary of the Interior, he restored these lands to entry, thereby revoking the order made by his predecessor, Secretary Garfield. The reason, he says, for making this restoration was because there was no authority in law for Secretary Garfield to have made the withdrawal, and he deemed the restoration would rectify the illegal act of his predecessor, and so restored this land to entry.

Yet, notwithstanding his claim that Garfield's act was irregular, after he made this order of restoration, there being no change in the law, he withdrew by an order a large number of acres of this same land without any authority other than Garfield had when he made his withdrawal. (Glavis charges, p. 720.)

Secretary Garfield says that the reason he made these withdrawals in bulk was to prevent adverse rights attaching thereto during the time that the department was determining the specific lands that would be finally and ultimately withdrawn for specific purposes. Experience had shown that when the department undertook to investigate and make surveys of land that would be required for irrigation, town sites, and reclamation purposes, parties would make filings thereon, which would materially interfere with the work of the department, and hence it was to prevent this action on the part of settlers that withdrawals were made, intending later on to pare down to the actual necessity of the occasion. Garfield was strongly committed to the policy of conservation. Under his administration this policy had grown greatly, and is now an established principle of our Government, conceded by all to be a great benefit to the people of our country, and hence in the carrying out of this policy these withdrawals were made by Garfield. The action of Ballinger in restoring these lands shows that he was an enemy to conservation, and was in keeping with his conduct as Commissioner of the General Land Office and his act as a practicing attorney thereafter to the effect that, if satisfactory to him, to make it as easy as possible for those who desired to acquire property from the Government.

Again, on May 11 he wrote the following letter in relation to Alaska and in relation to the displacing of Newell, Chief of the Reclamation Service:

Personal and confidential.

MAY 11, 1909.

MY DEAR MR. THOMSON: Last Sunday I was the guest of Mr. George W. Perkins, at Yonkers. Mr. Perkins is at the head of the house of J. Pierpont Morgan & Co., as you perhaps know. He told me that he had arranged for a special boat to take himself and party, including his family, to Alaska for the investigation of the feasibility of exploiting Alaska in railroad construction and in other lines in which he is deeply interested. He will sail from Seattle about the middle of July.

He is desirous of having an engineer accompany him who is not allied to any Alaskan interests or to any railroad interest or other private connection which would in any way influence his judgment, and he has been insistent on my recommending some one familiar with the western country to take this voyage with him and to advise him. Naturally, I could think of no one so well equipped as you to fill this office, and as the connection is one of importance and the trip would be one of great pleasure and profit, it has occurred to me that you would enjoy this form of vacation. On receipt of this letter, please wire me whether it will be worth while for Mr. Perkins to consider it possible for you to accompany him.

I hope you will not understand by the suggestion above that I have in any sense abandoned the hope of securing your services in the matter about which we conferred in Seattle. I anticipate that not later than September I will be able to formally present the matter to you.

Sincerely, yours,

R. A. BALLINGER.

MR. R. H. THOMSON,
City Engineer, Seattle, Wash.

This letter shows his disposition to aid the capitalists to acquire property in Alaska.

Later on, as Secretary of the Interior, he interfered with the proper management of the Reclamation Service by upholding Edmond T. Perkins, an engineer in charge of the Chicago office of the Reclamation Service, in what he must have known to be irregular transactions. This is known as the Black Tent transaction, and the undisputed evidence shows that it was the duty of Perkins to operate in Chicago a tent in which he gave lectures accompanied by stereopticon views, which were illustrated with a stereopticon lantern with colored slides, the tent being black, as a matter of necessity, so as not to permit the lights to enter while these slides were being used. He gave lectures on the subject of reclamation daily, part of the expense of maintaining this lecture bureau and the black tent being borne by the Reclamation Service and part by Federal appropriation. The undisputed testimony shows that Perkins was receiving \$3,300 a year from the Government, and in addition to this it shows that he received "on the side," so to speak, through the cashier of the Union Pacific offices in Chicago, the sum of \$1,200 for giving extra lectures which in their nature would be to the benefit of this railroad. In giving these extra lectures he used the paraphernalia that was used by him in the performance of his duty as the head of the Reclamation Service in Chicago. When this conduct was brought to the attention of Newell he ordered an investigation, found this to be true, and either was about to or had dismissed Mr. Perkins from service, when Perkins brought the matter up with Secretary Ballinger, and Ballinger reversed Mr. Newell, retaining Perkins in the office and increasing his salary, and this in spite of the fact that some of the railroads in Chicago and elsewhere were complaining of the actions and the conduct of Mr. Perkins in giving these lectures for the Harriman system of roads, claiming that it was a discrimination and that the Government should treat all railroads alike.

His hostility on assuming the office of Secretary of the Interior to those officers valuable to conservation, to wit, to Newell, to Davis, to Shaw, to Price, and to Pinchot, and other employees of the Government, shows opposition to conservation. His administration of this high office had disrupted the orderly conduct of affairs and brought its officers into ridicule and contempt. He has advanced all those who have been doing as he wished, whether right or wrong; and those who have not, he has discharged. He created discord by his abrogation of the agreement between the Agricultural Department and the Interior Department, pertaining to forest reserves and Indian affairs; he attempts to engender strife and promote criticism by his writing to the southern editor to look up complaints against the Forest Service and to send them to a United States Senator, and in his attempts to make Thomson the head of the Reclamation Service.

An unprecedented situation has arisen in the public service of the Federal departments. It has been called to the attention of this committee that, since Secretary Ballinger became a member of the Cabinet of President Taft, a group of men with high ideals, tried ability, and unquestioned devotion to their work and to the Government they serve, have been dismissed from the service of the United States. Moreover, they have been dismissed without due investigation of the quality of their acts, and not one of them has been accorded a trial or a hearing or any opportunity to present the facts of the case. Not only this, but although these men were universally recognized to be valuable public servants of unquestioned integrity and undisputed purity of motive, they have not been even apprised of the fact that there were any charges preferred against them until the actual moment of their dismissal. Other men who, by their similar ideas of public service, have incurred the displeasure of superiors, have resigned; and still others, who have been allowed to remain in the employ of the Government, are in daily expectation of dismissal, and feel themselves to be in a position where sooner or later self-respect will oblige them to sever their connection with a department which is administered upon principles which are uncongenial to their conception of duty. In the case of not one of these men can any criticism be made other than that they have shown a clear disposition to consider that a public servant owes allegiance to the Government, as well as to his superior officer, and that where a question arises between duty to the Government and duty to an individual, however high in office, he should choose the former.

PINCHOT.

Some 15 years ago President Cleveland appointed Gifford Pinchot a special agent of the Interior Department. At that time the policy of conservation itself can not be said to have existed in the United States. By 15 years of determined, intelligent, and constant effort Mr. Pinchot has succeeded, not

only in setting aside as a heritage for the American people the great national forests of the West and establishing an efficient system of forest protection and administration, but in clearly demonstrating that the principles of conservation extend to all the national wealth belonging to the people.

In accomplishing this result Pinchot was confronted both by the determined opposition of the special interests that had grown to believe that the natural resources of this country were the natural field for the unrestrained exploitation for private profit and by the equally formidable force of inertia which at all times opposes a new régime. Pinchot more than any other man has awakened the Nation to the folly of the reckless policy of permitting to proceed unchecked the criminal and unnecessary waste which has in the past irreparably impoverished the public domain, and which, if unhindered, would result in incalculable loss of the national resources that are the only guaranty of lasting prosperity of the American people.

To-day conservation is an approved and accepted doctrine, indorsed by the thoughtful men of all political parties. It is realized that conservation must extend not only to the public forests, coal lands, and water-power sites, but to the land itself.

The quality of Pinchot's creative work and his ability in organization and administration was attested by the fact that during this investigation, which included the Forest Service as well as the Interior Department, no serious criticism of the former appears upon the record, with the exception of the charges against the lumbering projects of the Menominee Indian Reservation. These charges have been refuted. The Forest Service has been shown to be an effective organization, able to face with success the new and difficult problems which have been presented to it for solution.

In addition to calling public attention to the disastrous results of reckless waste and the folly of permitting powerful combinations of capital to derive the chief benefit from the public domain, which is the property of all the people, and in addition to initiating both a strong public sentiment and a system of administration which are to-day checking these abuses, Pinchot, by his unselfish and consistent work for the public good, has set a standard of public service which, although he has ceased to be a Government employee, will have a lasting effect for good upon the personnel of the Federal departments.

Mr. Pinchot's testimony before the committee showed not only that his ideas of conservation were sound, but that he had a thorough and practical grasp of the problems, organization, and details of administration of the service of which he was chief.

GLAVIS.

Louis R. Glavis has been in the service of the Government for the last seven years, with the exception of a few months in 1904. He is 26 years old. The record of this case makes it clear that through the determined and repeated intervention of this young man the Alaskan coal fields have been at least temporarily saved from illegal acquirement, and a situation has been forced on the Interior Department where it is probable that the vast Alaskan coal deposits will be retained as a source of wealth to the whole American people instead of a source of profit to a single syndicate of New York capitalists. The record of this case shows that again and again Glavis was placed in a position where only a man of unusual devotion to duty and indomitable will would have continued upon a course in which he was opposed by his superior officers, discouraged by every personal consideration, and supported only by his conscience and his loyalty to the Government which he served. It would have been entirely safe and easy for Glavis to have shut his eyes to the Cunningham-Morgan-Guggenheim program. His superiors were doing this, and it was evident that they expected him to do the same. No scandal would have resulted; the claims would have gone through silently and smoothly; Glavis would have kept his position and possibly received promotion for his failure to do his duty. Instead of this he deliberately chose, not once but many times, to oppose his superiors, to persevere in his attempt to defeat the plans of the great syndicate which he rightly conceived was the controlling force in the Alaskan situation, and to risk his reputation and official existence. It is evident from the record that this young man considered himself in truth a public servant, set to guard the people's property.

What would have happened to Glavis if he had stood alone in this unequal struggle, and if he had not by his loyalty to the Government gained the friendship and support of other men who also entertained healthy ideals of public service—such men as Pinchot, Garfield, Hoyt, and Price—and of certain public-spirited newspapers and periodicals, it is not hard to guess. He would have gone back to the West a discharged and discredited ex-special agent, a man who had, for personal and other reasons, brought unfounded and unjust charges against his superiors. He would have lived and died cherishing the

belief that for a public servant to attempt to protect the interests of the Government by opposing the wrongdoing of his superiors is a futile and foolish thing.

Glavis's testimony before the committee shows him to be a capable, courageous, deliberate, painstaking man, with a marvelously accurate memory and a fixed habit of exact, careful statement. There is discoverable no bias against Mr. Ballinger nor a trace of resentment on account of his dismissal. His bearing, as well as his testimony, indicated that he believed that his whole duty as a witness was to give an accurate and truthful account of what happened. Practically the whole testimony which has been adduced to contradict Glavis has been the denials of his statements which Mr. Ballinger himself has made. The testimony of witnesses of unimpeachable integrity powerfully corroborate Glavis; and, more than this, the documentary records of the Land Office which have been put in evidence in every case bear out the truth and accuracy of his statements.

Since Mr. Ballinger became a member of the Cabinet of Mr. Taft the country has lost the services of men whom it will be difficult or impossible to replace. Others who acknowledge the same healthy ideals of public service are in constant expectation of dismissal or are being placed in such a position that their resignation will be made unavoidable. These men have all incurred the displeasure of their official superiors by a sharp divergence from the idea of public service which Mr. Ballinger has injected into official life—the idea that a subordinate should be loyal rather to the interests of his superior than to the interests of the Government which employs both the subordinate and the superior. No more typical illustration of this attitude which has crept into the administration of the Federal departments can be mentioned than the official condemnation of Frederick M. Kerby, who revealed the existence of a paper which it was to the interests of his Government to produce but to the interests of his superiors to suppress. That this paper was the property of the people of the United States and that its production was called for by a joint committee of the Senate and the House of Representatives made no difference to Mr. Ballinger and the other superior officials involved. It does not appear to have occurred to these men that their act in refusing to comply with the demands of the joint committee of the Senate and the House of Representatives by producing the Lawler letter was in itself an act of direct disobedience and insubordination. It was to their interests to conceal this paper, and they accordingly concealed it. Kerby, on the other hand, saw it in an entirely different light. Kerby realized that he was primarily not the employee of Secretary Ballinger, but of the Government and the people of the United States, paid by them, and sworn to protect their interests. He was faithful to his employers and to his oath of office, and forced the production of the Lawler letter. His action was publicly and promptly condemned by his superiors and he was summarily dismissed from office. The men who condemned Kerby seemed to have been unable to conceive that Ballinger and others as well as Kerby were alike the paid public servants of the Government; that they were alike the hired men of the people of the United States, sworn into office for the protection of public interest.

That the rank and file of the administrative departments of the Government should see a precedent established that a subordinate must at all times be ready to side with his superior officer, even against the interests of the Government and the people, is not one of the least evils attending the administration of Mr. Ballinger as Secretary of the Interior. If such a precedent is allowed to stand, the courage that will be required on the part of a subordinate in a Federal department to perform his duty to the Government when it conflicts with the interests of a superior, or tends to bring light upon a questionable transaction of a man or men in high position, will be great indeed.

HOYT.

Particular mention should be made of the testimony of Henry M. Hoyt, late attorney general of Porto Rico. The record shows that when Glavis had reached the end of his resources in trying to prevent the patenting of the Cunningham claims he went to Mr. Hoyt for counsel and advice. Mr. Hoyt heard Glavis's story and was persuaded that a serious scandal in the administration would result if Mr. Ballinger, who had been counsel for claimants, permitted the questions of law governing the validity of the claims to be decided by his own immediate subordinate Pierce. To prevent this scandal, Mr. Hoyt went to the Attorney General and explained the matter to him in detail as he and Glavis saw it, endeavoring to impress upon his mind the gravity of the situation. Mr. Hoyt's frank and lucid testimony shows that both he and Glavis were earnestly solicitous that the matter should be taken in hand by the proper

authority and a just interpretation of the law rendered, to the end that the Alaskan coal deposits should be saved from illegal spoliation and the new administration of President Taft spared the humiliation of a great scandal.

PRICE.

Overton W. Price, the late Associate Forester, was dismissed from the service of the Government owing to his cooperation with Glavis in trying to retain in the public domain the coal fields in the Chugash National Forest. At the time when the crisis arose Mr. Pinchot was in California, and Mr. Price, as his immediate subordinate, was in charge of the Forest Service. Under the Executive order of President Roosevelt of 1906 the Forest Service had concurrent jurisdiction with the Interior Department as to all claims against the public domain within the national forests.

Mr. Price, thoroughly understanding the gravity of the situation and feeling the responsibility of a public servant who believes that his duty does not end when he has obeyed the conventional dictates and positive injunctions of official conduct, fearlessly decided that the occasion demanded that public attention should be called to the danger which he believed was threatening the public domain. Both his fears and his actions have been shown to have been amply justified. The existence of a great syndicate, bent upon cornering the Alaskan coal fields, which was pointed out by Glavis and Price, has been fully established by the testimony before this committee of the agents of the syndicate. Price gave to Glavis the support which he believed he deserved and which the situation required, a support which Glavis had sought in vain from his own department.

In the dismissal of Price the public service lost a man of high ideals, a strong sense of public duty, and a firm devotion to the cause of conservation.

SHAW.

A. C. Shaw, a law officer of the Forest Service, was detailed by the Forester to aid Glavis in the preparation of his report to the President on the relations of the Interior Department to the Cunningham claims. He also cooperated with Price and Glavis in their attempt to call the attention of the public to the aggressions against the public domain in Alaska, which they believed were in progress. He also has been separated from the service of the Government.

NEWELL AND DAVIS.

Frederick H. Newell, Director of the Reclamation Service, has been in the employ of the Government for 22 years.

Chief Engineer Arthur P. Davis, of the Reclamation Service, has been in the Government employ 27 years.

Under their administration and by their united efforts the reclamation of the arid lands in the Western States has become a project of vast importance and great profit to the people of this country. Newell and Davis organized and perfected this great work in a way that has commanded both the admiration and respect of the people in the sections where the projects have been undertaken. These two men are both engineers of wide reputation and known ability. They could presumably, at any time, command more remunerative positions out of the Government employ, but they have chosen to remain in public service out of devotion to their work and loyalty to the Government.

The impression which Messrs. Newell and Davis made as witnesses leaves no room for doubt of the absolute candor and truthfulness of the testimony which they gave. They showed that a sharp clash between them and Mr. Ballinger occurred when they realized, soon after the latter became Secretary of the Interior, that the policy of their new chief was to nullify the results of their work, discredit the Reclamation Service, and, above all, to throw open to private exploitation the areas of land along streams and rivers which were withdrawn both for reclamation purposes and to prevent the possibility of a water monopoly. Their testimony shows that Newell went so far in his opposition to his chief's purposes that the latter immediately planned to remove him from the Government service, but was prevented from doing so by the influence of other officials and the public disapproval of what the Secretary's purpose evoked.

Mr. Davis came unwillingly to the stand. He testified with no unfriendliness to Mr. Ballinger, but yet with entire frankness and candor. His testimony, as well as that of Mr. Newell, shows that these two men were placed in a position of great difficulty, where every personal consideration, and even the mistaken ideas of official propriety which seem to exist to-day in Government departments, admonished them to swim with the tide and view with complacency the opening of the public domain to the aggressions of the special interests to which Mr. Ballinger's policy was favorable. They chose the more difficult

course, opposed the exploitation by private interests of the natural resources which were in their charge, and incurred the displeasure of their official chief.

Horace Tillard Jones, a special agent of the Land Department, was also called as a witness against Secretary Ballinger. Mr. Jones is an attorney at law, and was admitted to the bar in September, 1901; was a practicing lawyer in Washington, D. C., until August, 1903, when he was appointed to the position of special agent of the Land Department, which position he held at the time he was called as a witness in this investigation. He had therefore been in the service of the Land Department as special agent for more than six years at the time he was called as witness in this case. He was intrusted with the duty of making a thorough, complete, and energetic investigation of the violations of law in reference to coal entries in Alaska by a letter written by the Acting Commissioner of the General Land Office, Fred Dennett, on June 21, 1907. That he was an alert, efficient, able special agent on June 21, 1907, and so considered by the Land Department, is manifest from a statement in the letter, as follows:

You have been selected to make this examination for the reason that this office believes that you have the necessary ability and integrity, and you are authorized to travel to such points in Alaska or Western States as may be necessary in order to cover the investigation.

On August 13, 1907, this zealous servant, in his report of that date to the Commissioner of the General Land Office, concludes the same with a very significant statement, to wit:

I feel that the disposal of the lands all tend toward one direction, and that is the Guggenheim companies.

His apprehensions, stated in this last report, were not groundless, as events show that less than two weeks before he made this report the Cunningham claimants had entered into a written agreement with J. Pierpont Morgan & Co. and the Guggenheim Co. to transfer these lands to said company.

This witness has always shown himself to be true to the interests of the people—to be opposed to fraud in any form. The record in this investigation is a monument to the integrity, honesty, and efficiency of this witness, and yet, notwithstanding the service that he rendered the people in protecting its property from the grasp of corporate greed, he valiantly and boldly and openly refused to remain silent or to adopt a course of action that would meet with the approval of his superiors, and notwithstanding the fact that he knew the course he was taking would result in his being discharged from the service, which he was.

It is pertinent to inquire, What have these men done that justifies their being dismissed from the Government service? Is it possible that the people of this country will approve the dismissal from Government service of servants because they have acted to prevent the unlawful exploitation of the people's property? Must a subordinate disregard his oath, connive at corruption and illegality to continue his position? Must he sink his manhood—knowingly wink at colorable transactions—to prevent his being dismissed from the service? Or will the people commend and approve the acts of those in the future who will do as these men have done—fight for the right, condemn corruption and fraud, whether practiced by the high or the low, and let the result be what it may? No Government can long endure which pursues a policy that puts a premium upon inefficiency or dishonesty.

More than 4,000 pages of testimony, besides hundreds of pages of documentary evidence, was taken before the committee, and I have called attention to but few of the facts proven. The overwhelming weight of the evidence taken satisfies me that Mr. Ballinger was not faithful to the interests of the people, is not an efficient public servant, and that the resolution offered ought to be adopted.

I ask that the resolution may lie on the table.

The VICE PRESIDENT. The Senator from North Dakota asks that the resolution shall still lie on the table. Is there objection? The Chair hears none. The Chair lays before the Senate the unfinished business.

OCEAN MAIL SERVICE AND PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce."

Mr. CULLOM. The Senator from New Hampshire [Mr. GALLINGER], who desired to speak for a moment on the bill, seems to be out of the Chamber at this instant. I think he will be here very soon.

The VICE PRESIDENT. The Secretary will read the bill.

Mr. STONE. Did I understand the Senator from Illinois to say that the Senator from New Hampshire desires to proceed with the bill?

Mr. CULLOM. I said the Senator in charge of the bill is for the moment out of the Chamber, and I know that he expected to talk a little on the bill before it is disposed of for the day.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crane	Gamble	Richardson
Beveridge	Culberson	Guggenheim	Root
Bourne	Cullom	Heyburn	Scott
Brandegee	Cummins	Johnston	Simmons
Briggs	Curtis	Jones	Smith, Mich.
Brown	Davis	Lodge	Smoot
Bulkeley	Dick	Martin	Stephenson
Burkett	Dixon	Money	Stone
Burton	du Pont	Nelson	Sutherland
Carter	Elkins	Overman	Swanson
Chamberlain	Fletcher	Page	Tallaferro
Clapp	Flint	Perkins	Terrell
Clark, Wyo.	Frye	Piles	Thornton
Clarke, Ark.	Gallinger	Purcell	Warner

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. A quorum of the Senate is present.

Mr. GALLINGER. Mr. President, I was absent from the Chamber when the Senator from North Dakota concluded. I will ask if the unfinished business has been laid before the Senate?

The VICE PRESIDENT. It has been laid before the Senate.

Mr. GALLINGER. I desire to inquire if any Senator on either side is prepared to continue the discussion of the bill. If no Senator is prepared to go on to-day, I will ask unanimous consent that on Thursday, January 26, the bill be taken up, and that all amendments pending and to be offered and the bill itself be voted on before adjournment upon that day.

Mr. CLAPP. Mr. President—

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Minnesota?

Mr. GALLINGER. I have made my request.

Mr. CLAPP. I shall feel constrained to enter an objection to that proposition.

The VICE PRESIDENT. Objection is made.

Mr. GALLINGER. Then I ask for a vote on the bill, if no Senator is prepared to speak.

Mr. STONE. At this time, Mr. President, I hope the Senator will not urge the consideration of the bill. As far as I am concerned, as a member of the committee that reported the bill, and feeling some considerable interest in its disposition, I have no objection, and I have so stated to the Senator from New Hampshire, to fixing the day he has indicated or any other day within a reasonable time for a vote. There are two Senators on this side who I know desire to address the Senate on this bill. One of them I know to-day is absent at Baltimore, attending the Democratic love feast in that city. I would like to have this measure go over for a few days and not have its consideration forced at this time.

Mr. GALLINGER. The Senator from Missouri knows that I have not shown any disposition to unduly crowd the consideration of the bill.

Mr. STONE. That is true.

Mr. GALLINGER. It was made the unfinished business at the last session and it has remained so until the present time. I have appealed to Senators from time to time, in private and from my position at my desk, to prepare themselves to discuss the measure if they desired to do so. I certainly do not want to prevent any Senator who wishes to speak on the bill, either in support or in opposition to it, to be denied that privilege. But I do think that after the bill has been here from the last session, standing as the unfinished business, when there are other very important matters that must be considered the Senate ought to agree, as it usually does agree, to fix a day. I suggested Thursday, the 26th. I should be quite willing to put it forward even a week beyond that time. I will ask the Senator from Minnesota if that will be agreeable to him?

Mr. CLAPP. Mr. President, I only want to say that I certainly have not delayed the bill, and I am ready to vote on it now. I am ready to vote to-morrow. I am ready to vote whenever the bill comes up. But there are matters before the Senate which, in my judgment, are of vastly more importance than this measure, and why it should take precedence of others I can not understand. For one, I must take the responsibility, and I am constrained to object to fixing a time in advance when we shall vote upon the bill. I am ready to vote now or at any other time when the bill comes up.

Mr. GALLINGER. The Senator's explanation does not explain. The Senator is solicitous that other measures shall have

consideration. This is the very way to get consideration for them. This is the unfinished business; automatically it comes up at 2 o'clock every day, and the Senator in charge of it can insist or any Senator can insist that its consideration shall be proceeded with. It is going to take vastly more time if that method is followed than to agree upon a certain day on which a vote shall be taken upon the amendments and the bill. I hope when the Senator stops to reflect upon it, if he has an interest in other measures that he regards as more important, he will see that this is the very way to expedite the consideration of those measures.

Mr. STONE. I have no objection to fixing Thursday of next week or the later date suggested. I simply want the time the Senator from New Hampshire indicated the other day would be satisfactory to him allowed before the bill is voted upon. There is no need of pressing it at this time unexpectedly and contrary to what has been understood. It will not expedite, I think, the passage of the bill. There is no disposition, as far as I know, to obstruct the passage of it or prevent an early vote upon it. I understood from what the Senator said, both publicly and privately, that it would be entirely satisfactory to him to have it taken up and disposed of next week. That is entirely satisfactory to me, and it will be satisfactory to the other Senators to whom I referred, whose addresses I am sure will not be prolonged and will not be made with any idea of delaying the final disposition of the measure. But they desire to submit some views to the Senate on the general policy embraced and outlined by this measure, and I hope the Senator will not insist upon proceeding at this time. The bill might go over, as it has heretofore, for three or four days and then, so far as I am concerned and I am sure so far as the Senators for whom I am speaking are concerned and so far as I know, a vote can be had upon it.

Mr. GALLINGER. I will say, Mr. President, that I have taken a good deal of pains to inquire of Senators on both sides of the Chamber as to their willingness to have a day fixed for a vote, and I have found that all Senators that I have consulted have been very kindly disposed, and have suggested that that would be agreeable to them. I am somewhat surprised that the Senator from Minnesota feels it incumbent upon him to raise an objection to voting a week from Thursday, or the succeeding Thursday, because the Senator has been here so long that he knows if this measure drifts along other matters will be brought forward, and that if no arrangement is made for a vote as the session approaches a close a single Senator, by dilatory methods, can prevent a vote.

I have had experience here when a somewhat similar bill was filibustered to death, and while there may not be any open intimation that is in contemplation to-day, I have a vague suspicion that such a thought may be lodging in the brain of one or two Senators at least. I simply want fair play, that is all, and I ask this in the interest of the public business and to expedite consideration of the pending measure.

Mr. STONE. I have not even a faint suspicion that any Senator contemplates obstructing the measure by such a method merely to prevent a vote on the bill. If there are any such Members of this body, I do not know about them; I have not heard them. The only thing I ask now is that the measure may not be taken up before Monday. That is satisfactory to me. I have no objection to its being called up on Monday morning and to taking a vote upon it.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator yield to the Senator from Iowa?

Mr. STONE. The Senator from New Hampshire has the floor.

The VICE PRESIDENT. The Senator from New Hampshire has the floor. He yielded to the Senator from Missouri. Does he now yield to the Senator from Iowa?

Mr. GALLINGER. I yield to the Senator from Iowa with pleasure.

Mr. CUMMINS. I have expected to make some observations upon the bill before it is voted upon, and I would have been ready to do that to-day had it not been that in the colloquy which occurred yesterday, as I understood it, it was suggested that the junior Senator from Ohio [Mr. BURTON] would speak upon the bill and would not be ready to do it until early next week, and it seemed to me proper that what I have to say with regard to the measure should follow the address of the Senator from Ohio. I am not ready to go on at this moment, although I am perfectly ready to vote. If it is desirable to have a vote upon it, I am quite ready, but it seems to me that under all the circumstances the plan which was outlined yesterday morning should be adhered to. As I understood it, it was that the Senator from Ohio was to address the Senate some time early in the

week. I intended to immediately follow him with some brief remarks upon the subject. I do not want to delay the matter. I would be very glad to see it disposed of. I think it is interfering very seriously with the work of the Senate. I hardly believe it would be just to go on with the consideration of the bill this afternoon with the view of having an immediate vote.

Mr. GALLINGER. Mr. President, the Senator from Iowa [Mr. CUMMINS] is laboring under a misapprehension as to any suggestion that was made concerning the Senator from Ohio [Mr. BURTON]. The Senator from Ohio has intended to address himself to this bill, and I presume he is going to do so. The Senator from Ohio, in the first place, thought he would speak yesterday, though he had thought perhaps he would speak the latter part of last week, but he has not been quite ready to do so, and I have wanted to accommodate the time to the convenience of the Senator from Ohio and every other Senator; but I do feel that we ought to make some progress. The way to make progress, in my judgment, to clear the way for other bills—to some of which I am opposed, but which I think ought to be considered—is to fix a time far enough in the future to enable every Senator to speak upon the question, and then let other matters come in here to be considered as they ought to be considered. I simply am pleading for haste, not as regards this bill so much as regards other matters that are of more importance than the Senator from Minnesota [Mr. CLAPP] thinks.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. I do.

Mr. CUMMINS. Mr. President, I am very inexperienced in these matters, as compared with the Senator from New Hampshire [Mr. GALLINGER]. I hope nevertheless that he will accept this suggestion from me: If the Senator from New Hampshire would give notice that upon some day next week, or early next week, he would insist upon the consideration of this measure until a vote was reached, he would in that way, I believe, get a vote very soon, because it can only be displaced by a vote of the Senate.

If the Senate desires to substitute some other measure for this one, it may do so, and that is the only way in which it could be displaced. I think that, under all the circumstances, would accomplish the purpose the Senator has in view and at the same time would be more in accord with the understanding as I received it. I may be in error with regard to what happened, but in some way or other, at least, I had learned that the Senator from Ohio intended to speak upon the bill, but did not intend to speak upon it until some time early in the week, and that it was in view of that fact largely that the Senator from New Hampshire gave notice yesterday that he would ask for the fixing of a day upon which a vote could be taken.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Missouri?

Mr. GALLINGER. I yield with pleasure.

Mr. STONE. Simply to supplement what the Senator from Iowa [Mr. CUMMINS] has said with this suggestion, that if the Senator from New Hampshire would indicate now a purpose to proceed with this measure on a day next week and press it to a vote at the earliest possible moment, I think in the meantime—and before the day the Senator might fix—such addresses as Senators desire to make on the bill—or most of them, at least—will have been made. The bill remains on the calendar as the unfinished business, and any morning when it is laid before the Senate the Senator can have it remain before the Senate for the purpose of having addresses made upon it. I am sure that Senators who have spoken to me—and there are some remarks I desire to make myself—will speak before the middle of next week. That may satisfy the convenience of the Senator from Iowa and the Senator from Ohio, who still desire to speak. So if, when the Senator from New Hampshire calls the bill up, or when it is laid before the Senate in the regular course of the day he may indicate next week, most, if not all, of the speaking or discussion will be out of the way, and probably we can have a vote at an early hour on that day.

Mr. SCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from West Virginia?

Mr. GALLINGER. I yield to the Senator from West Virginia, Mr. President.

Mr. SCOTT. Mr. President, if the Senator from Ohio [Mr. BURTON] desires to speak on this bill, of course I should not

insist upon the Senator from New Hampshire [Mr. GALLINGER] pressing for a vote to be taken at this time. But we have passed similar bills, and as I shall be no longer a Member of this body after the 4th of March, there is nothing that would give me greater pleasure than to record my vote in favor of this bill. I hope the opportunity will be given, and I hope that the Senator from New Hampshire will insist on a vote being taken.

Mr. President, there is no man who has traveled in foreign countries, who has gone to the harbors of the world, and who there has witnessed the flag of every country floating from the masts of steamers, who has not felt ashamed of his country and felt ashamed that the United States Government has not in some way helped the merchant marine of this country. I say, Mr. President, it will be one of the proudest moments of my life to vote for this bill, and I hope the Senator from New Hampshire will insist upon a vote at the very earliest moment.

Mr. GALLINGER. Mr. President, it will be remembered that this is not a new question, and that fact ought to appeal to Senators. It has been before Congress in one form or another for I do not know how many years, but the same principle has been involved. The distinguished Senator from Maine [Mr. FRYE] had charge of a similar bill, which passed the Senate a long time ago that failed in another body, and I have been instrumental in piloting through the Senate, as best I could, I think, two or three bills of a very similar character. Two years ago one of those bills, almost identical with this, was passed without even a division of the Senate. That gave me a great deal of encouragement to believe that there would be, at least, no obstructive tactics in the consideration of this bill, which is a very similar measure and which will be easily understood by any Senator who will take the trouble to read it, which will only occupy two or three minutes.

But, Mr. President, I have always during my service here felt it my duty to be as courteous as possible to my fellow Senators, because they have always been courteous to me, and I have no disposition to do anything that would be the subject of just criticism in this connection; yet I feel profoundly desirous that this matter should be so adjusted that we should have a vote without the possibility of doubt within a reasonable time, and I hope we may yet be able to arrange that to-day.

Mr. BURTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Ohio?

Mr. GALLINGER. I yield to the Senator from Ohio with pleasure.

Mr. BURTON. Mr. President, it seems to me we unite, those opposing and those favoring the bill, in desiring a reasonable time for discussion and an early vote. I had intended, and still desire, to address the Senate upon this subject, but the proposition was made that Thursday of next week be made the date when a vote be taken upon the bill and all amendments. I was not aware that anyone had any objection to fixing that date. I do not feel entirely prepared to proceed to talk to-day, and the lack of preparation is due in some measure to the reliance on the fixing of that date next week.

I want to suggest, Mr. President, that the Senator from New Hampshire [Mr. GALLINGER] has been especially courteous in this matter. The bill has the right of way. However, an amendment was introduced only a few days ago which changes the nature of the proposed measure. I do not believe a vote upon this bill will be postponed beyond the time he names—Thursday of next week. So far as I am concerned, and so far as those with whom I have talked who desire to address the Senate about it are concerned, there is an entire willingness to agree upon that date; but, failing in that, it is in the power of the Senator from New Hampshire to bring this measure up on any day, and I assure him that, so far as I am concerned, every effort will be made to bring about a vote.

Mr. GALLINGER. Yes; but the Senator from Ohio, Mr. President, will likewise do me the justice to comprehend the fact that it is one thing to lead a horse to water and it is another thing to make him drink. The bill comes up automatically every day, but it might as well be in the tombs of the Capulets as to be here, unless we can vote upon it, and any one Senator, under our lack of rules, can absolutely defeat this bill. I will take a contract with some other Senator, such as the Senator from Iowa [Mr. CUMMINS], without any further help, to defeat any measure that may be presented to this Senate from this time on to the end of the present session. Two Senators can do that if they choose to do it.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. I do.

Mr. CUMMINS. I am sure there is no hidden meaning in the last suggestion of the Senator from New Hampshire.

Mr. GALLINGER. No; a mere suggestion as to the Senator's ability to assist me to accomplish a result.

Mr. CUMMINS. But I desire to at once say this, that while I am opposed to this measure and shall vote against it, I shall not interpose any obstruction to its consideration or to its disposition. I never have done that in my short service here and I do not intend to do it, unless an occasion should arise that I believe would warrant a revolution. I believe in disposing of measures that are before the Senate and voting upon them and letting every Senator bear the responsibility which attaches to his vote. I should have been ready to-day to have submitted my observations had I not supposed that the Senator from Ohio had rather a prior right in that respect, and I was waiting until he had exercised it before I asked the attention of the Senate for myself. So far as I am concerned, however, I shall not feel in the least aggrieved if the Senator from New Hampshire insists upon a vote this afternoon, although I believe it would serve a better purpose if he should name some day next week on which he expects to insist upon the consideration of the measure until disposed of.

Mr. GALLINGER. Mr. President, I see no way in which we can make progress to-day. I did not expect that we would get a vote on the bill to-day, and, if I said "vote," I inadvertently used that word. What I meant to say was that we should proceed with its consideration to-day. I have myself a few feeble remarks that I thought I might give the Senate the benefit of on the bill if some other Senator opposed to the bill had first spoken. All I wanted was progress. I wanted to see that we were getting ahead to some extent in the consideration of this, to me, very important measure. So that, Mr. President, I think, all things considered, the best I can do is simply to ask that the bill be informally laid aside for the present, and to-morrow, when it comes up, if any Senator is ready to speak, we shall be glad to hear from him, and then, unless we do make some further progress, I will adopt the suggestion of the Senator from Missouri [Mr. STONE], who is so very kindly disposed in this matter, and name a day when I shall insist upon the continuous consideration of the measure until it is disposed of one way or the other.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Maine?

Mr. GALLINGER. I yield to the Senator from Maine.

Mr. HALE. Mr. President, I do not desire in any way to interfere with the good conduct of this bill in the hands of the Senator from New Hampshire, but I must again warn the Senate that if one after the other of these important measures which are before the Senate, reported by committee, involving serious questions in which Senators and the country are interested, are postponed until next week because Senators are not ready to consider them, we shall speedily face a condition where nothing except the money bills will pass.

The committees in charge of appropriation bills have not been intrusive. Under the rules and under the unvarying practice of the Senate these bills have the preference. The Senators in charge of these bills, and who will be in charge when they reach this body from the House of Representatives, are not inclined to insist upon the privileges necessarily enjoyed by the appropriation bills to the exclusion of other bills; but, Mr. President, the man is blind who does not realize that with day after day passing now and the appropriation bills held back whenever any measure is sought to be brought before the Senate—not to crowd it and force it through, but for debate and consideration—somebody is not ready, nobody is ready, and we are asked to continue until next week, just as sure as tide and sunrise come Senators will find that the measures in which they are naturally and properly interested will be met with the consideration of the necessary appropriation bills which everybody wants to pass, and nothing else will pass. I do not want, Mr. President, to see that condition.

The Senator has intimated, not that he will take any part in it, but if there are Senators here who are desirous that nothing shall be passed no course can be taken that contributes to that result like this everlasting delay upon everything that comes up. This objection to the consideration, and to voting, and to passing one way or the other upon bills is the chosen and selected way of defeating everything. I would like to prevent that. I would like in the closing days of this session—the last session that I shall have the honor to participate in the deliberations and proceedings and results of the Senate—that all of that shall be avoided; and the only way to avoid it is, that on these great measures which have halted, which have been passed over for an entire half of the session, shall be

taken up, and considered, and debated, and voted upon. If they are to be delayed because Senators are not ready and have other duties to perform we shall find ourselves, Mr. President, in the last three or four weeks of the session a hopelessly and deplorably drifting body; nothing will come out of it, and no Senator and no committee will be able to pass anything except the appropriation bills.

Mr. President, if the Senate and the Members of the body who are to continue in service after the 4th of March are willing to take the responsibility of a failure of the appropriation bills at this session, a called session of Congress is imminent and stands over every Member of the House of Representatives and of the Senate as an almost necessitous result of the condition that we are in. That is a matter with which I am not involved in any personal responsibility, but I do not think, Mr. President—and I should guess that the Senate is with me in that regard—that it will be wholesome for anybody or any measure or any public interest that a called session after the 4th of March should be precipitated upon the country, with all the natural results that will come from a session of Congress when the country, as I think, desires a respite and time and space instead of a session of Congress.

Mr. President, I have some sense of embarrassment at being obliged, day after day, to urge these considerations upon the Senate, but I think they are of some moment and may be worthy of the consideration of the Senate.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Minnesota?

Mr. GALLINGER. I yield to the Senator from Minnesota.

Mr. CLAPP. There has been some suggestion made here by the Senator from New Hampshire of some purpose to delay the consideration of this measure. I do not need to disclaim such a purpose any further than to reiterate the statement that I am ready to vote to-day or to-morrow, or, if this matter is not reached until the time mentioned by the Senator in his suggestion, I shall be ready to vote then. I will make no objection to voting upon this measure at any time.

I am very much impressed with the remarks of the Senator from Maine [Mr. HALE]. We are drifting along here and accomplishing nothing. While I may err in judgment, my purpose in taking this attitude is that we may proceed and accomplish something. In other words, get to work here, and, to use the homely expression of Horace Greeley at a time when a great public proposition was being discussed, "the way to resume is to resume." So the way to get to work here is to get to work.

It is a little embarrassing for me in my short service here to offer suggestions to those who have served longer, but we had an experience last summer when it was proposed to fix a time to vote upon an important bill, the railroad bill. I objected to fixing the time, and suggested that the way to get at it was to go to work upon that bill. The result was, if I remember correctly, that we actually reached a vote some considerable time before the date suggested by the late Senator from West Virginia as the time to be fixed by unanimous consent for voting.

If I may be pardoned the suggestion, I believe now, if the Senator in charge of the bill—it might be a little abrupt this afternoon—with this discussion to-day, will to-morrow start in to insist that the Senate take up the consideration of this bill, I believe we will reach a vote on it in advance of the time suggested by the Senator from New Hampshire. It is certainly with no purpose of delaying this matter that I decline to assent to the request for unanimous consent. What I object to is the Senate to-day fixing some time in the future when they will take up a bill for voting, and then abandoning the discussion of the bill to two or three Senators, who from time to time may want to debate it. We never would have won that victory last summer if we had consented to that plan; but insisting upon taking the bill up and going ahead with it the bill was debated, and we reached a vote upon that bill, if I remember correctly now, some three days earlier than the time suggested by unanimous consent for voting.

Mr. HALE. The Senator is entirely right about that.

Mr. CLAPP. Yes; and I believe now we shall accomplish the same result if we follow that course. I shall vote against the bill when the time comes, for I can not vote to tax the American people for the benefit of a few men when I can not see that it will put another single American flag on the high seas; but I will not spend one moment of the Senate's time in delaying that vote whenever the time is reached for the vote.

I had intended to make an argument upon the subject, but recognizing that we are moving rapidly toward the end of this term, I shall forego making any argument on the question. I have to forego making arguments on other matters before the

Senate that are important. What I object to is the idea that has so long prevailed here of fixing far in advance some day for voting and then absenting ourselves from the Senate and letting those who want to discuss the matter discuss it to empty benches.

I believe there should be one forum in this country where public questions, when they are debated, are in fact debated and not narrowed down to a mere question of delivering addresses upon the subject.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. CLAPP. With pleasure.

Mr. STONE. The Senator's objection to fixing a day for a vote on this bill, if I understand his objection correctly, is that if we proceed without any understanding of that kind we shall probably get rid of the bill at a much earlier day.

Mr. CLAPP. Much quicker, with a much more thorough debate of the bill, too.

Mr. STONE. It may be so; but if we should fix upon Thursday of next week, or any other day in the future, and have an agreement to the effect that the vote should be taken upon the bill and pending amendments at a certain hour that day, the way is then open for other business from this time on to that day.

To be sure, at the hour of 2 o'clock each day when this bill, as the unfinished business, is laid before the Senate the Senator from Ohio, who has said that he desires to address the Senate on it, or any other Senator, can rise in his place and say what he has to say upon the subject, and then the Senate can go on with other business.

Mr. President, yesterday after this bill, the unfinished business, was laid aside the Senator from Idaho [Mr. HEYBURN] called up a very voluminous and important bill, which was laid before the Senate and discussed and considered through the day. That measure, covering I know not how many hundred pages of printed matter, was practically concluded yesterday; it will be concluded, I have no doubt, to-day. In like manner other important bills on the calendar may be taken up between now and the hour and day fixed for a final vote on the bill in charge of the Senator from New Hampshire.

So instead of delaying business, it seems to me that the suggestion already made by the Senator from New Hampshire is wise and timely, and that by fixing a day we facilitate the consideration of important measures, if there be any important measures on the calendar.

The Senator from Maine apprehends that after next week, some time next week perhaps, from then on the appropriation bills will be crowding in upon the Senate and occupying the attention of the Senate to the exclusion of other business. Well, that day is coming, anyhow, whether we fix an hour for voting upon this measure or not, and by fixing the hour and the day for voting upon this measure, as I have said—and I am repeating only what the Senator from New Hampshire [Mr. GALLINGER] said—it opens the way or clears the track for the consideration of other business. It leaves the Senate in better condition to consider other measures than by having this bill constantly in the way, and particularly so if it is in the way against the will or against the understanding of Senators who may desire, as I know other Senators desire—only two or three—an opportunity to speak.

It is the better way, in order to avoid the unnecessary consumption of time, to have an agreement. So it seems to me.

Mr. CLAPP. Mr. President, I shall have to take issue with my friend, the Senator from Missouri, for reasons which I think I can adduce in a very short time. If it is going to require a given number of hours of debate upon this bill, the hours consumed in debating it will interfere simply to so many hours extent with other business. An illustration was given yesterday when an important bill was taken up. I have watched this thing with some care during 10 years here—my experience does not reach over the time of other Members—but I have noticed one thing, that there have been more adjournments because no one seemed ready to press a matter where there was a time fixed in advance when a vote should be taken than there was in the instance of last summer when no time was fixed and some one was pressing forward all the time.

I believe that instead of fixing a time, and then from day to day adjourning, if a bill is in the hands of a Senator here who wants to press it, there will be less adjournments, less delay, if no time is fixed. That is my judgment. It is only good for what it may be worth, and it is the basis of my objection. I have no purpose to delay this matter. I promise the Senate that next Thursday, when that time is reached, if it is

proposed to take a vote on this measure, I will not occupy one moment of the time of the Senate.

Mr. GALLINGER. Mr. President, there seems to have been a misapprehension in the minds of certain Senators as to what I said yesterday. I want to read from the Record precisely what I did say:

I had intended to ask for a day upon which to vote on the bill, but at the request of a Senator I agreed to postpone that request until to-morrow. I will simply state that on to-morrow I will ask that the bill be voted on a week from Thursday next, the 26th, and if it is found impossible to secure consent for a vote at that or some other proper time, I shall then feel constrained, day by day, to ask that the consideration of the bill be proceeded with.

So, Mr. President, in any suggestion I have made to-day I have not certainly taken any position that I did not take yesterday.

Mr. President, in looking at the calendar—

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. Certainly.

Mr. CUMMINS. I did not intend to suggest that the Senator was at all inconsistent. I said that I had received the impression yesterday that the part of the debate to be taken by the Senator from Ohio [Mr. BURTON] was to proceed next week. I had it from this statement from the Senator from New Hampshire:

The senior Senator from Ohio [Mr. BURTON] who is always greatly interested in these measures—and I regret to say that his views are opposed to those I hold—has intended to speak; I think he had planned to do so several days ago. But the Senator, like some of the rest of us, has been very greatly engrossed in the work of the Committee on Commerce, and he tells me this morning that he is not quite prepared to proceed.

That was the basis of my suggestion, and I received the information in some way or other—I did not at the moment remember whether it was in this statement or from another source—that he would not be prepared until the beginning of the week.

Mr. GALLINGER. That was a misapprehension on the part of the Senator from Iowa. That has never been suggested by the Senator from Ohio or by the Senator from New Hampshire. But, however, we will pass that.

I was about to say, Mr. President, that in looking at the calendar I find that the Senator from Iowa [Mr. CUMMINS] is to address the Senate to-morrow on an important matter; the Senator from Florida [Mr. FLETCHER] and the Senator from Idaho [Mr. BORAH] are to speak on the next day, Thursday.

Mr. CUMMINS. I think I ought to say in this connection that I am in something of the same embarrassment with which the Senator from New Hampshire finds himself surrounded. The Senator from California [Mr. FLINT], who desires to speak to the resolution which I introduced, tells me that he will not be ready to do so and can not speak until next Monday, and he has asked me to postpone the action I proposed to take to-morrow until after that time; and with that same pressure of kindness that the Senator from New Hampshire feels so keenly, I have felt impelled to say to the Senator from California that I would not press the matter, and therefore the notice which I gave for to-morrow will be abandoned.

Mr. HALE. When will any of these matters be proceeded with? That is the question before all of us.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield?

Mr. GALLINGER. I yield to either or both of the Senators.

Mr. CUMMINS. The Senator from Maine asks when will we reach these things. I do not know—

Mr. HALE. When, if everything is put over because a Senator says he is not ready? I know, Mr. President, I am not so busy as some Senators are. I do not perhaps appreciate the difficulty that Senators have in getting ready upon measures which have been here days and days—

Mr. GALLINGER. Years and years.

Mr. HALE. And meanwhile the time of the Senate is being consumed. If because a Senator is not ready, has not got ready, for the reason that he is a busy man, the consideration of a measure is postponed, when some of us who are not busy are urging dispatch, we never will have anything done. That is why I ask the Senator when it is that anything is to be pushed for consideration in the Senate.

Mr. CUMMINS. Mr. President, I have not asked a moment's delay. When I was last answering the Senator from New Hampshire, I withdrew any request for any postponement. The truth with regard to this particular measure is that the brief from which I expect to speak lies on my desk in my office. I am just as well prepared to speak now as I will be next week. But in view of what was stated yesterday morning, I did not believe that the matter would be up for consideration to-day, and therefore I did not bring it with me.

So far as I am concerned, I wish we could have a vote upon that at this moment, but if it is to be discussed I thought it was better to follow out the general plan that was outlined yesterday; and the Senator from Maine will never find me asking for any delay upon any subject. I am like the Senator from Maine. I have little to do. It has not been my fortune to be assigned to any committees that ever meet, and therefore my whole time is at the disposal of the Senate in open session, and I am reasonably attentive to my duties here.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do; if I have the right to yield.

Mr. BORAH. Mr. President, I have no desire to seem to enter into a controversy with the Senator from Maine, but while we are discussing this matter of urging legislation, and we are being instructed as to what we should do to dispose of business, it ought not to be forgotten that last Friday a motion was made early in the day that when we adjourn we adjourn until Monday, and when a very important measure was brought up for discussion in the Senate another motion was immediately made to adjourn at once.

Mr. HALE. That was not done in any way for delay, but in order to give time for consideration of a most important matter.

I desire to say that in what I have said I am arraigning nobody, and it is very proper that I should say that the Senator from Iowa [Mr. CUMMINS] has never in the course of his service in this body either sought to delay action or to avoid debate or to put things off because he was not ready. The Senator is always ready, armed, and equipped, and he does not delay this body in the consideration of measures in which he is interested by any postponements. My suggestion was not made because he had asked for delay, but because he had rather good naturedly almost consented that the matter should be delayed because some other Senator was not ready.

I hope I am not subject to the suggestion made by the Senator from Idaho [Mr. BORAH], that I am instructing the Senate as to what it shall do. I am interested in the progress of business.

I will agree here and now to two things—not to ask for delay or postponement and not to take up much time of the Senate. I should like to do business for the rest of the session, and if Senators will contribute in that direction we shall do business; we shall vote on every one of these important matters—the unfinished business, the constitutional amendment, the question of the Senatorship from Illinois, the money bills—and dispose of them all, and wind up the session to the satisfaction, I hope, of the Senate, certainly of the country, who would be very glad to be rid of us.

Mr. GALLINGER. Mr. President, I have called attention to the fact that yesterday I specifically stated that unless a day was agreed upon, which I hoped would be done, for a vote on this bill, I would ask that it be proceeded with day by day until it was completed. In view of the good-natured discussion we have had to-day and in view of certain facts that have been presented to the Senate, I do not feel like pressing the matter to-day. But I give notice, Mr. President, that Friday I shall ask the Senate to proceed to the consideration of the bill, and I trust that Senators who desire to speak on the measure, either favorably or unfavorably, will be prepared to enter upon the discussion that day, if not before.

There will probably be a hiatus to-morrow, after the Senator from Michigan [Mr. BURROWS] has spoken, when the matter could be discussed, and perhaps there will be a little time on the succeeding day. But however that may be, it seems to me that Senators can readily prepare themselves on a matter that has been before the Senate for twenty-odd years, in one form and another, to commence the discussion on Friday; and I give notice that I will ask that the bill be proceeded with on that day and each succeeding day until it is disposed of.

Now, Mr. President, I ask that the unfinished business be temporarily laid aside.

Mr. BROWN. To which, Mr. President, I object. The Senate has spent an hour to-day in talking about doing business. I think we ought to go ahead and do some business.

Mr. GALLINGER. Very well, Mr. President. Then I offer a substitute for the original bill.

The PRESIDING OFFICER. The Senator from New Hampshire offers a substitute for the original bill, which will be reported to the Senate.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert the following:

That the Postmaster General is hereby authorized to pay for ocean mail service, under the act of March 3, 1891, in vessels of the second class on routes to South America south of the equator, outward voy-

age, at a rate per mile not exceeding the rate applicable to vessels of the first class, as provided in said act, and in vessels of the third class on said routes at a rate per mile not exceeding the rate applicable to vessels of the second class, as provided in said act: *Provided*, That if no contract is made under the provisions of this act for a line of ships between a port on the Atlantic coast south of Cape Charles and South American ports, the Postmaster General shall, provided two or more lines are established from North Atlantic ports, require that one of said lines shall, upon each outward and homeward voyage, touch at at least one port of call on the Atlantic coast south of Cape Charles for mail, freight, and passengers, regard being had in the selection of such port of call to geographical location and to the volume of the export and import business of the port so selected: *Provided further*, That to insure the independent operation of any steamship line holding a contract under the provisions of the act of March 3, 1891, or of this amendatory act, and to prevent discrimination detrimental to the public interest, the Postmaster General shall in no event award any contract for the mail service therein provided for to any bidder who shall be engaged in any competitive transportation business by rail, or who shall be engaged in the business of exporting or importing goods, wares, merchandise, or other property on his own account, or who shall bid for on behalf of or in the interest of any person or corporation engaged in such business, or either of them, or having the control thereof through stock ownership or otherwise: *And provided further*, That the Postmaster General is authorized and directed to cancel any contract entered into in pursuance of the act of March 3, 1891, or of this amendatory act, if at any time the performance of the same shall rest within the control of any competitive railroad company or of any person or persons in control of the same through stock ownership or otherwise, or if any party to any such contract shall make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, or locality, or any particular description of traffic in any respect whatsoever, or subject any particular person, company, firm, corporation, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage: *Provided further*, That, subject to the foregoing provisions, every contract hereunder shall be awarded to that responsible bidder who will contract, under penalties prescribed by the Postmaster General, for the highest running speed between the points named in the contract: *And provided further*, That the total expenditure for foreign mail service in any one year under this act shall not exceed the sum of \$4,000,000, and shall not in any case exceed the amount of revenue received from the foreign mail service over and above the amount otherwise paid for such service.

The PRESIDING OFFICER. The question is on agreeing to the substitute.

Mr. BURTON addressed the Senate. After having spoken for more than an hour,

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SMOOT. I should like to ask the Senator if he desires to conclude his remarks to-night.

Mr. BURTON. I think I should hardly have time.

Mr. SMOOT. Then, if the Senator does not object, I will move an adjournment.

Mr. BURTON. I have no objection.

[For Mr. BURTON's entire speech see Senate proceedings of Friday, January 20.]

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 18, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 17, 1911.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

The SPEAKER. Without objection, the RECORD will be corrected in conformity with the Journal, touching a point that was overruled by the Speaker. The Chair hears no objection.

CORRECTION.

Mr. MANN. Mr. Speaker, I desire to correct the RECORD. On yesterday the gentleman from Wisconsin [Mr. MORSE] asked unanimous consent for the insertion in the RECORD of the general dam law which was enacted at the last session of Congress. Through the error of some one there was inserted the act of June 21, 1906, which I wish to have struck out of the permanent RECORD and to insert in its place the act of June 23, 1910, which is the act for which consent to insert was given.

The SPEAKER. Without objection, the RECORD will be corrected.

There was no objection.

COMMITTEE ASSIGNMENT.

The SPEAKER announced the following committee assignment: Mr. GEORGE D. MCCREARY, of Pennsylvania, to the Committee on Industrial Arts and Expositions, vice Mr. Joel Cook, deceased.

ARMY APPROPRIATION BILL.

Mr. HULL of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill (H. R. 31237).

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BENNET of New York in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of House bill 31237. When the committee rose at its last sitting the House was divided upon an amendment offered by the gentleman from New York to an amendment of the gentleman from Alaska. The Chair had concluded the count and was ready to announce the vote. There were 28 yeas and 8 nays. So the amendment was agreed to.

Mr. MANN. Not at all, Mr. Chairman. The point of no quorum had been made. I made the point of no quorum, and we adjourned pending the question of no quorum.

The CHAIRMAN. The Clerk will read from the record of the last session in regard to what occurred when the committee rose.

Mr. MANN. I had made the point of no quorum at that time.

Mr. HULL of Iowa. The gentleman said: "We might as well adjourn," and raised that point.

Mr. MANN. At that time I made the point of order that there was no quorum present.

Mr. SULZER. Mr. Chairman, if the gentleman from Iowa and the gentleman from Illinois will allow me a moment, I think I can obviate the present difficulty. When I offered the amendment the other day, and after the debate, just before the Chair announced the result on the amendment, I was informed by the gentleman from Illinois that there was some understanding between him and the gentleman from Alaska that no amendment increasing the appropriation for the Alaska Roads Commission should be offered. Of course I knew nothing about it when I offered my amendment, and hence, under the circumstances, I now withdraw the amendment.

The CHAIRMAN. Without objection, the amendment to the amendment will be withdrawn.

Mr. MANN. Mr. Chairman, there was some question with reference to the ownership of a road in Alaska. I ask leave to insert in the RECORD a letter from George H. Patrick, attorney of the Alaskan Northern Railroad Co., stating that this railroad is not a Morgan railroad.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks by printing a letter in the RECORD. Is there objection?

Mr. HARDWICK. I object.

Mr. SULZER. I ask the gentleman to have the letter read in his own time.

Mr. MANN. I move to strike out the last word in the paragraph.

The CHAIRMAN. The gentleman from Illinois.

Mr. MANN. Mr. Chairman, I have received a letter from George H. Patrick, dated January 16, 1911, in which he says:

1320 NEW YORK AVENUE,
Washington, D. C., January 16, 1911.

DEAR SIR: I observed in Saturday's debate in the House upon the item for the construction and maintenance of military and post roads, bridges, and trails in Alaska, particularly between Seward and Iditarod, that an erroneous impression prevailed in the mind of several Members as to the ownership of the railroad running north from Seward toward Fairbanks, with branches toward Iditarod and Matanuska coal fields, prejudicial not only to the construction of the trail, but generally to the development of Alaska.

You are reported as a strong believer in the ownership of that road by the Morgan-Guggenheim Syndicate. All the gentlemen who participated in the debate referred to the road as the Alaska Central. There is no Alaska Central, and has not been since October 9, 1909, when that road was sold under a foreclosure decree of the district court of Alaska, third division, and bought in by the bondholders. The sale was confirmed and the receiver discharged October 19, 1909. On October 26, 1909, the Alaska Northern Railway was incorporated under the laws of the State of Washington, its principal office at Seattle, with a capital of \$30,000,000, and elected a board of directors and officers, all of whom are citizens of the State of Washington. All the property, the former assets of the Alaska Central, were duly transferred by the representative of the purchasing bond holders to the Alaska Northern Railway Co., which now owns them.

The Morgan-Guggenheim Syndicate, as the association formed by the Guggenheims and J. P. Morgan & Co. for operations in Alaska is termed, has no interest whatever in this road, is in no manner connected with it, has no option to purchase, and never has proposed to buy this road.

I am not surprised that you should have fallen into this error as to ownership, because the muckraking papers and magazines that for the last year or two have so industriously occupied themselves in misrepresenting conditions in Alaska, for purposes unnecessary to discuss here, have repeatedly asserted that this syndicate owns all the actual or projected transportation routes in Alaska.

There are three gateways into the interior of Alaska: The first, the Copper River & Northwestern Railroad, built and owned by the syndicate, which is little more than a private road, because built mainly to reach the vast copper and other properties belonging to the syndicate. The second is the White Pass & Yukon road, mainly in British territory and understood to be controlled by British capital. The third, and the principal gateway, is the Alaska Northern, its line running to Fairbanks, some 500 miles, through a marvelously rich agricultural area, into the Matanuska coal fields, which contain more and better coal deposits than any or all the coal fields in Alaska, embracing lignites, high-grade bituminous coal, steam coal equal to any on the Atlantic seaboard, first-class coking coal, and anthracite equal to that of Pennsylvania.

The ownership of this road has been the subject of congressional inquiry. Mr. Stephen Birch, managing director for the (Morgan-Guggenheim) Alaska syndicate; Mr. John N. Steele, trustee and general counsel for the syndicate, and Mr. O. G. Laberee, president of the Alaska Northern Railway Co., made statements, under oath, before the committee to investigate the Interior Department and Forestry Service, and their testimony may be found at pages 2178, 2180, 2190, 2197, 2254, 2277, 2295, 2299, 2300, 2302, 2303, 2346, 3816-3820. Each of them made similar statements before the Senate Committee on Territories, and Mr. Laberee made a statement before the House Committee on Territories. I take pleasure in handing you a copy of Mr. Laberee's statement before the former committee, which is a duplicate of his affidavit before the investigating committee.

These witnesses state positively that M. Guggenheim Sons and J. P. Morgan & Co. have absolutely no interest in Alaska, other than through the Alaska syndicate; that they have no interest whatever in the White Pass & Yukon and the Alaska Northern Railway Cos.; that they have no interest whatever in any road in Alaska except the Copper River & Northwestern road, going north from Cordova and Valdez into their copper properties and the Bering River coal fields. The Alaska Northern Railway Co., so far as it is in relation to the syndicate, is its active rival, and this latter company, unlike the syndicate, has no ownership, interest, or claim to a foot of land in Alaska—coal, agricultural, or mineral—outside its right of way, terminal, and station properties, and is interested only in transportation.

Returning to the subject under discussion—the Seward-Iditarod Trail—permit me to add a word in support of that measure. No more meritorious item can be found in the appropriation bill. The Iditarod gold discoveries are comparatively recent, but already the miners have hauled their gold dust in half-ton packages three or four hundred miles to Seward in dog sleds, over rough country, and under great hardships. The present mail route goes up the Yukon to Fairbanks, thence back again to Iditarod, a distance of nearly 1,200 miles anywhere from any point on the coast, whereas the direct route, following the Alaska Northern roadbed to Mile Seventy-three, thence some 300 miles in a direct line to Iditarod, would, were the trail opened, shorten the distance from the mines to the coast from about six weeks to less than two weeks.

I take the liberty to hand you a map of the Alaska Northern Railway and proposed extensions, showing its coast terminal at Seward, on Resurrection Bay, Mile Seventy-three, to which point the road is completed, the Matanuska coal fields, Fairbanks, the Yukon River, Iditarod, and the Seward-Iditarod Trail, from which you will see how important to the miners of the Iditarod is the appropriation pending at the adjournment of the House on Saturday.

This gold field has in the past season produced several millions of gold. It is reputed to be richer than any other field in Alaska, perhaps richer than any other in the world. Already several thousand miners have gone in there, and the rush is continuing.

Knowing your great desire to be entirely accurate, I have taken the liberty to furnish this information this morning.

Very truly, yours,

GEO. H. PATRICK,

Attorney for the Alaska Northern Ry. Co.

Hon. JAMES R. MANN, M. C.,

House of Representatives, Washington, D. C.

Mr. SULZER. Just a word, Mr. Chairman. I received a letter similar to the communication just read by the gentleman from Illinois. I am glad that the gentleman from Illinois gracefully admits that he was in error regarding the matter. We are in accord now; and we are always in agreement when the gentleman is right.

The CHAIRMAN. If there be no objection, the pro forma amendment to the amendment will be withdrawn. The question is on the amendment of the gentleman from Alaska [Mr. WICKERSHAM].

The question being taken, the amendment was agreed to.

The Clerk read as follows:

Barracks and quarters, Philippine Islands: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites, and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies and all other buildings necessary for post administration purposes, \$600,000: *Provided*, That no part of said \$600,000 shall be expended for the construction of quarters for officers of the Army, the total cost of which, including the heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of quarters of a general officer the sum of \$12,000; of a colonel or officer above the rank of captain, \$10,000; and of an officer of and below the rank of captain, \$6,000.

Mr. STAFFORD. I reserve a point of order on the paragraph, for the purpose of obtaining information. I should like to ask the chairman of the committee the need of expending \$600,000 for the purpose of buildings in connection with posts in the Philippine Islands.

Mr. HULL of Iowa. The estimates that were submitted to the department went away beyond that. You must remember that we keep 5,000 Philippine Scouts there as a part of the Regular Army. They are being organized now into companies, battalions, and regiments, and we keep about 12,000 Regular troops there; and in order to provide them permanent quarters it is absolutely necessary to keep this work going from year to year. This will not anyway near complete the work.

Mr. STAFFORD. To what extent are quarters established now?

Mr. HULL of Iowa. The main quarters are at Fort McKinley, but at every regimental and brigade post you have to have quarters for officers and men, and the Committee on Appropriations and the Committee on Military Affairs a couple of years ago entered into a kind of an arrangement by which there was a limitation on cost. They were exceeding this price for the officers' quarters, and the two committees virtually agreed that there should be this limitation placed upon the quarters.

Mr. STAFFORD. I am acquainted with the history of that legislation.

Mr. HULL of Iowa. As a matter of fact, the first quarters that were erected in the Philippine Islands were largely out of lumber imported from the Pacific coast, and the white ants ate them up. We are now building permanent quarters out of reinforced concrete, because no imported wood will stand that climate.

Mr. STAFFORD. Will the gentleman tell us how the cost of construction of these buildings in the Philippines compares with the cost in continental United States?

Mr. HULL of Iowa. I can not.

Mr. TAWNEY. I should like to ask the gentleman from Iowa if his committee has gone into this question of cost. The cost of constructing reinforced concrete buildings is very much less than the cost of constructing such buildings as we have heretofore constructed at the posts in continental United States, where they are constructed out of brick and other kinds of building material. I remember that when we were providing for the buildings in Hawaii the Quartermaster General of the Army stated that the cost of building reinforced concrete buildings there was less than the cost of constructing buildings for offices here, and even less than the cost of constructing light concrete buildings here. The character of construction is entirely different. There is not as much material used, and I was going to ask the gentleman from Iowa if he did not think it advisable to consider the question of reducing this limit of cost. They have the material in the Philippine Islands for the reinforced concrete construction; and I imagine that a building there of that kind costing \$12,000 would be something like the buildings constructed at Sandy Hook, N. J., when that post was established. The buildings are so large that it is so expensive for an officer to occupy them that he can not occupy his quarters within his salary. It seems to me this is a very large limit of cost for a building constructed in a tropical climate.

Mr. HULL of Iowa. Referring to the question of the gentleman from Wisconsin [Mr. STAFFORD] first, if he will turn to page 252 of the hearings he will find that Gen. Aleshire stated:

Mr. Chairman, the total of the estimate for barracks and quarters, Philippine Islands, as submitted by the chief quartermaster of the Philippines and as approved of by the commanding general of that division, is \$2,430,000. It has been reduced in Washington to \$600,000.

Mr. SLAYDEN. How much was the estimate?

Gen. ALESHIRE. The estimate was \$2,430,000. It has been reduced to \$600,000.

Mr. HAY. That included the purchase of a large quantity of land for a reservation, did it not?

Gen. ALESHIRE. Under "Shelter and protection of officers and enlisted men" they had a million dollars; repairs, \$280,000; payment of rent, \$72,000; building sites and additions to existing military reservations, \$78,000; shelter for animals and supplies, \$800,000; all other purposes, \$200,000.

Now, in regard to land, he says, lower down on same page:

Many of the reservations are now occupied or owned only in part by the United States. It is necessary to purchase these private rights to give the United States proper title. Such purchases are necessary at Camp Wallace, Camp Eldridge, Camp Gregg, Regan Barracks, Camp Bumpus, and Hollo. This item does not include the purchase of any land at Fort William McKinley; nor does it include any estimate for the purchase of the part of reservation at Camp John Hay, which the Supreme Court of the United States has decided belongs to private parties.

Now, in my judgment, this is a very moderate proposition, and is absolutely necessary if we are to care for our troops in the Philippine Islands.

Mr. STAFFORD. Can the gentleman from Iowa inform the committee whether any testimony was taken as to the comparative cost of structures in the Philippine Islands and in this country?

Mr. HULL of Iowa. My impression is that outside of this reinforced concrete—we did not go into that—the cost of construction is fully as great as in this country. As to reinforced

concrete, I will say that we did not go into it. My judgment is that this is a large reduction on what the Army was expending on quarters before the limitation was put on. The gentleman from Minnesota can offer an amendment, but it seems to me as if it would be a dangerous proposition for the House to say that it will still further reduce the cost of these quarters.

Mr. TOWNSEND. Will the gentleman from Iowa yield?

Mr. HULL of Iowa. Certainly.

Mr. TOWNSEND. I do not know that I am properly posted on a matter mooted here, but if I recall it the law provides the number of rooms an officer may occupy at a post or quarters.

Mr. HULL of Iowa. The number he gets commutation for if the Government does not furnish them.

Mr. TOWNSEND. In this paragraph you provide "shall exceed, in the case of quarters of a general officer, the sum of \$12,000; of a colonel or officer above the rank of captain, \$10,000." Now, a captain is entitled to how many rooms?

Mr. HULL of Iowa. I think four rooms.

Mr. TOWNSEND. And a colonel would be entitled to seven rooms?

Mr. HULL of Iowa. I do have all that information at my fingers' ends, but it is not as fresh in my mind now. I think that is true and that a major general gets 10 rooms.

Mr. TOWNSEND. I am quoting from the law of 1878.

Mr. HULL of Iowa. Oh, the law has been amended since then; it has been largely increased.

Mr. MANN. The highest number is 12 rooms.

Mr. HULL of Iowa. A brigadier general gets 10 or 11.

Mr. MANN. A brigadier general gets 12 rooms. The surgeon of the Army gets 12 rooms. What rank does he hold?

Mr. HULL of Iowa. He is a brigadier general.

Mr. TOWNSEND. Now, I have a copy of the appropriation act of March 2, 1907, and that quotes the statute of 1878 as amended, and that provides that the number of rooms that can be assigned is as follows: A second lieutenant, two rooms; first lieutenant, three rooms; captain, four rooms; and the highest number being 10 rooms, to a lieutenant general. What I am getting at is under this paragraph you make provision for an expenditure of \$10,000 for captain's quarters.

Mr. HULL of Iowa. No; it is not for captain's quarters; that is for officers above the rank of captain.

Mr. TOWNSEND. If it were a captain would he be allowed \$10,000 for four rooms?

Mr. HULL of Iowa. No; \$6,000 for public quarters. The limitation provides for commutation of quarters.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman—

Mr. TOWNSEND. If the gentleman will wait a moment—

Mr. MICHAEL E. DRISCOLL. I thought the gentleman from Michigan had finished.

Mr. TOWNSEND. Is it possible for an officer entitled to quarters of three or four rooms, or, at the most, five rooms, to have \$10,000 expended for a building in the Philippine Islands?

Mr. HULL of Iowa. A lieutenant colonel gets six and a colonel gets seven rooms. It does not follow that they have to expend this amount; this is a limitation that they shall not exceed that amount in commutation.

Mr. TOWNSEND. Can the gentleman from Iowa tell me any place where the captain gets more than four rooms?

Mr. HULL of Iowa. No; I can not give you that information, but my impression is that at all permanent posts where barracks are built a captain's house has more than four rooms in it. There is no law I know of fixing the number of rooms at public quarters.

Mr. TOWNSEND. Is that in accordance with or in violation of law?

Mr. MANN. That is commutation.

Mr. TOWNSEND. There is a provision for commutation when they do not use the rooms. Do they observe the statute in assigning rooms to officers?

Mr. HULL of Iowa. When it comes to commutation the statute fixes what he can get if they do not furnish quarters; but if the gentleman can point me to any law that says in building quarters they shall not exceed two rooms for a lieutenant, I will be very glad to see it. I can not find it. I will say to the gentleman, in my judgment, there are no barracks and officers' quarters built at any of the posts for a second lieutenant where there are not more than two rooms, and yet I do not understand that it is a violation of law to build him a little larger house. Where he is married it is necessary to have more room, but he can only get commutation for two rooms.

Mr. TOWNSEND. That is what I wanted to know. I read the law hastily; I thought it confined the captain to four rooms.

Mr. HULL of Iowa. This confines the commutation to that. In other words, if a captain does not get the house built by the

Government and quarters furnished, he gets \$48 a month commutation, and that the statute does define, but there is no statute, as I understand, that defines that a man can be allowed to occupy any more than so many rooms in Government quarters.

Mr. MANN. What is the commutation for rooms?

Mr. HULL of Iowa. Twelve dollars a room.

Mr. TOWNSEND. The act of March 2, 1907, amends the act of June 17, 1878, and in reference to officers' quarters and commutations provides as follows:

That section 9 of an act approved June 17, 1878 (20 Stat. L., p. 151), be, and the same is hereby, amended to read as follows: "That at all posts and stations where there are public quarters belonging to the United States officers may be furnished with quarters in kind in such public quarters, and not elsewhere, by the Quartermaster's Department, assigning to the officers of each grade, respectively, such number of rooms as is stated in the following table, namely: Second lieutenants, 2 rooms; first lieutenants, 3 rooms; captains, 4 rooms; majors, 5 rooms; lieutenant colonels, 6 rooms; colonels, 7 rooms; brigadier generals, 8 rooms; major generals, 9 rooms; lieutenant general, 10 rooms: *Provided further*, That at places where there are no public quarters commutation therefor may be paid by the Pay Department to the officer entitled to the same at a rate not exceeding \$12 per month per room."

This statute states that officers "may be furnished" the number of rooms stated in the law, and I read that to mean the specified number and no more. I think such an interpretation is the natural one and that any other or the one that increases the number specified in the statute is contrary to the intent of the Congress.

When the Government does not furnish quarters for a major, he can get commutation for five rooms only, but it is contended that the Government may construct a building for him, costing \$10,000. It is evident that such building or that any building built for such officer will contain more than five rooms. Was it not the intent of Congress to limit the expense of quarters for officers by the statute of 1907? The construction put upon the statute, however, by the Military Department removes all restrictions.

Mr. MICHAEL E. DRISCOLL. I would like to know whether the number of posts in the Philippines is being reduced.

Mr. HULL of Iowa. I think they are trying to reduce the number of stations. The post is where permanent buildings are erected and a station is where they are living in tents.

Mr. MICHAEL E. DRISCOLL. Are they reducing the number of permanent posts?

Mr. HULL of Iowa. No; because they have not got nearly all of the permanent posts established as yet.

Mr. MICHAEL E. DRISCOLL. How many permanent posts are there?

Mr. HULL of Iowa. I should judge from this list that there are at least 25 or 30 posts in the Philippines.

Mr. MICHAEL E. DRISCOLL. How many stations?

Mr. HULL of Iowa. I should think twice that many.

Mr. MICHAEL E. DRISCOLL. I have been told there are about 80 posts. Perhaps stations were meant.

Mr. HULL of Iowa. I am giving it to you offhand, because gradually as a post is established and laws are being obeyed they are concentrating the troops more in strategic points in the islands.

Mr. MICHAEL E. DRISCOLL. Are the American troops mostly in the southern islands?

Mr. HULL of Iowa. No; they have them in Luzon and all of the islands. That is a question of detail and of administration that the commanding officers there and the situation must govern as to where the troops shall go.

Mr. MICHAEL E. DRISCOLL. Is this money being appropriated to rebuild old buildings?

Mr. HULL of Iowa. Possibly; but they have never built the barracks and quarters there necessary to house all the troops kept there.

Mr. MICHAEL E. DRISCOLL. Is it not a fact that they can not get any lumber over there for building?

Mr. HULL of Iowa. They may be able to get their native lumber, which will be satisfactory; but they started out by buying lumber in this country, and that lumber will not stand the climate and the white ant.

Mr. MICHAEL E. DRISCOLL. Will the lumber over there stand the climate?

Mr. HULL of Iowa. Some of it will, but it is more expensive to build with than it is out of concrete. The lumber is as hard as iron and sinks when in water, but is expensive.

Mr. GOULDEN. Mr. Chairman, on account of the disorder in the Chamber I was unable to hear anything that the distinguished chairman of the committee had to say about this item and the amendment. I want to ask the gentleman in charge of the bill where the officers are now quartered, officers and enlisted men. You provide \$600,000, I take it, for permanent quarters.

Mr. HULL of Iowa. Yes.

Mr. GOULDEN. Where are the quarters now?

Mr. HULL of Iowa. They are quartered, many of them, a larger part of them, in temporary quarters.

Mr. MICHAEL E. DRISCOLL. Rented quarters?

Mr. HULL of Iowa. Some of them are rented quarters and some of them in tents.

Mr. GOULDEN. Does not the gentleman think that the amount here for the colonel and the captain, and so forth, is a rather big price to pay for quarters?

Mr. HULL of Iowa. I will again repeat what I said a few minutes ago, that that matter was gone into by representatives of the Appropriations Committee and the Military Committee and a limit of price was fixed. Before that there was no limit and they were building houses for general officers costing \$25,000, and we determined to fix a certain limit and a reasonable limit that they could not exceed. But it is not provided that they shall go to that. This action was at that time taken and there has been nothing brought before the committee to indicate that it was not a fair compromise of this whole question.

Mr. GOULDEN. Is not the gentleman's experience that when the limit is put to \$12,000 and \$10,000 they usually reach that sum?

Mr. HULL of Iowa. I think in many cases they do, and in some cases they would go over it for the general officers' quarters if they could.

Mr. GOULDEN. Does the gentleman think the maximum limit is not too high?

Mr. HULL of Iowa. I think it is dangerous for us to reduce it below that.

Mr. GOULDEN. You think it would be unsafe?

Mr. HULL of Iowa. I do.

Mr. GOULDEN. I have every confidence in the gentleman's judgment.

The CHAIRMAN. The point of order is still pending.

Mr. STAFFORD. Mr. Chairman, in view of the statement made by the chairman of the committee that this amount has been cut one-third or more, I withdraw the point of order.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment to this paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out "twelve," in line 19, and inserting the word "ten;" and in line 20 strike out the word "ten" and insert "eight;" and in line 22 strike out the word "six" and insert "five."

Mr. TAWNEY. Mr. Chairman, I offer this amendment, because I believe that quarters constructed in the Philippine Islands under that limit of cost will be equal if not more commodious and substantial than like buildings that are erected in the United States under the existing limit of cost, and I also do it because this will bring the matter to the attention of the department as well as the other legislative branch of the Government, and the whole matter can be investigated, and if there is any mistake it can be corrected. On the other hand it might escape the notice of the department, and we might fix a larger limit of cost than we intended. I trust the amendment will be adopted.

Mr. DOUGLAS. I will ask the gentleman if there is any objection to dividing the amendment. I am inclined to vote for the second provision, but I am not for the first. I ask that the amendment be divided.

The CHAIRMAN. The gentleman has that right.

Mr. DOUGLAS. The question is a divisible one and can be divided.

Mr. STAFFORD. If the gentleman from Minnesota will permit me to ask a question of the chairman of the committee. In view of the statement made by Gen. Aleshire, in the hearings, of the amount that will be needed for other purposes, does the chairman believe there will be any of this fund used for the erection of quarters?

Mr. HULL of Iowa. I have no doubt there will be, because it is extremely necessary that there should be some. Mr. Chairman, I am perfectly willing to agree to a proposition that will save money to the people if it will not do injury to the service, but it seems to me for the House to reduce still further the estimates we might fix a limit here that may do absolute injury to the service. They had to revise all their plans. They cut down the price of the general officers' houses over half what they were spending for a major general's quarters at permanent posts, and when you cut still further now, without any further information, it seems to me you are taking chances that for one I can not support.

Mr. BUTLER. Will the chairman of the committee answer me a question? Do you know the difference of cost between the construction in the Philippines and in America?

Mr. HULL of Iowa. No. I do know that the old buildings cost more than in this country, and that according to the chairman of the Committee on Appropriations under the new conditions the cost will be in favor of the Philippine Islands. Lumber is three or four times as high as—

Mr. BUTLER. Lumber?

Mr. HULL of Iowa. Yes. All material nearly is higher there than here.

Mr. BUTLER. I understood that the great value of the Philippines was in the lumber.

Mr. HULL of Iowa. Yes; it has the finest on earth, but they do not use the fine lumber; they use the cheaper.

Mr. COCKS of New York. The kind of lumber out of which they are building the houses out there is the kind that does not last but three or four years. They do not use the high-class lumber.

Mr. HULL of Iowa. I stated that a few minutes ago.

Mr. COCKS of New York. The biggest part of the lumber comes from the Pacific coast.

Mr. HULL of Iowa. Yes; and it will not stand that climate at all.

Mr. COCKS of New York. It stands it as well as any other kind of wood.

Mr. HULL of Iowa. Any soft wood. There is no soft wood that will stand the climate there.

Mr. COCKS of New York. There is no wood of any kind that will last any time in that country.

Mr. HULL of Iowa. You have to have a special saw, even, to saw the wood. This will stand, and the white ants will not eat it up.

Mr. COCKS of New York. The buildings constructed there were not of as good a character as at our posts, anyway.

Mr. GOULDEN. You are building these buildings of concrete, are you not?

Mr. HULL of Iowa. My understanding is that they are now beginning to erect the new buildings of concrete.

Mr. HARDWICK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDWICK. Mr. Chairman, on yesterday I presented to the House of Representatives the following memorial, which I wish to have printed in the RECORD. This memorial was sent to me by the officers of the Farmers' National Union, with the request that it be presented to the House and printed in the RECORD.

To the House of Representatives of the United States of America:

The undersigned, being the national legislative committee of the Farmers' Educational Cooperative Union of America, and directly representing 3,000,000 American farmers, voice their earnest and unanimous wish in respectfully memorializing the House of Representatives in favor of the joint resolutions now pending in that body to elect United States Senators by a direct vote of the people in the several States represented by such Senators, and respectfully urge upon the House of Representatives early and favorable action in the matter.

C. S. Barrett, President Farmers' Union; W. R. Callicotte, Vice President (Colorado); W. A. Morris, Chairman Committee (Alabama); L. M. Rhodes, Member Executive Committee (Tennessee); H. L. Petty, State Secretary and Member Executive Committee (Virginia); W. T. Loudermilk, State President (Texas); E. Canalis, State President (Georgia); A. H. Evans, State President (Illinois); I. N. McCollister, State President (Louisiana); D. J. Neill, Legislative Committee (Texas); Maurice McCauliffe, President (Kansas); O. P. Ford, Vice President (Alabama); R. L. Barnett, State Secretary (Kentucky); D. M. Gannaway, State President (Virginia); P. W. Cox (Washington); L. C. Crow, President Washington State Union; O. F. Dornblaser, Secretary National Executive Committee; A. C. Davis, National Secretary-Treasurer Farmers' Union.

The CHAIRMAN. The amendment of the gentleman from Minnesota will be divided, and the Clerk will report the first portion of it.

The Clerk read as follows:

Amend by striking out the word "twelve," in line 19, and insert the word "ten," on page 39.

The CHAIRMAN. The question is on the first part of the amendment.

The question was taken, and the Chairman announced that the Chair was in doubt.

Mr. TAWNEY. Division, Mr. Chairman. I ask that the amendment be again reported.

The amendment was again reported.

The committee divided; and there were—yeas 35, noes 43.

So the amendment was rejected.

The CHAIRMAN. Without objection, the second part of the amendment will again be reported.

The Clerk read as follows:

Amend by striking out, in line 20, on page 39, the word "ten" and inserting the word "eight."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken.

The CHAIRMAN. The Chair is in doubt.

The committee divided; and there were—ayes 30, noes 30.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the third portion of the amendment.

The Clerk read as follows:

In line 22, page 39, strike out the word "six" and insert the word "five."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. HULL of Iowa. Mr. Chairman, I move to strike out the last word in order to occupy about three minutes of the time of the House.

Mr. Chairman, I saw in the public print on last Sunday an article headed "The United States Army. Mr. Huidekoper, Military Expert, Makes a Statement."

I want to call the attention of the House to one or two of his assertions. It seems to me it is absolutely a crime against the Government for statements to go out to arouse the public mind, which are so absolutely full of misinformation as this article is, without sending out at the same time a statement showing some of the facts. I do not know whether this gentleman is a military expert or not. The caption says he is. The body of the article says that he is a "military critic." There is a vast difference between a military expert and a military critic. I suppose we have more of the latter in the United States than in all of the rest of the world combined. Whether we have more military experts would depend a little on what is an expert. But we evidently have a large number claiming to be military experts. I want to call attention especially to this statement:

The American Army to-day has only enough infantry ammunition for one single engagement.

Now, if he is a military expert he should have gone to the place where he could have secured reliable information, which is the Ordnance Department of the Government. We have been for some years accumulating a reserve of ammunition. The Committee on Military Affairs believe that with a small Army we should have a reserve of munitions of war to equip a larger Army whenever the time of danger shall come. In the hearings of this year this question of reserve ammunition was gone into. Asking the ordnance officer in charge if the powder deteriorated, he said, "Not at all;" that they issued the older powder each year for the current uses of the Government, and he was satisfied the powder would be good for at least 10 or 12 years, and that, the older powder being used each time, none of it would ever reach that age.

Mr. COOPER of Wisconsin. What officer was that?

Mr. HULL of Iowa. Gen. Crozier, who I think is one of the most accomplished officers that this country has ever had.

I asked him the question:

The CHAIRMAN. How much reserve have you now, General?

Gen. CROZIER. We have a pretty good reserve, Mr. Chairman. We expect to have on hand on June 30 next 152,000,000 rounds.

The CHAIRMAN. That leaves you 28,000,000 rounds short of the reserve you are seeking to accumulate?

Gen. CROZIER. Yes, sir.

In other words, we have within 28,000,000 rounds all the ammunition that we ought to have accumulated for public defense, no matter how great a war may come.

Mr. SCOTT. Will the gentleman allow me to ask him a question in that line?

Mr. HULL of Iowa. Certainly.

Mr. SCOTT. The gentleman is referring, of course, to small arms.

Mr. HULL of Iowa. Yes; and that is what he referred to in the article from which I am quoting.

Mr. SCOTT. About how rapidly can that character of ammunition be manufactured in case of an emergency?

Mr. HULL of Iowa. In case of an emergency it can be manufactured as near as rapidly as we use it as to make the reserve a safe one. We could take our own powder factories and run three shifts and multiply by three or four or five times what we are doing to-day; and calling into active operation all the private factories that we now keep going by giving them small contracts from year to year we could multiply the ammunition; so that with this amount of reserve there is absolutely no danger in time of war of the Government running short of ammunition. Absolutely no danger. Of course if we did not continue the manufacture and keep private plants going, we might run short, but with 150,000,000 rounds in reserve we are in no

danger of running short in one battle with 40,000 men, or a great many battles with 600,000 men.

Then he says we are manufacturing no small arms.

Mr. Chairman, we have now 650,000 modern rifles. I am talking about small arms; that is as good a gun as is made in the world.

Mr. SULZER. And we are making more.

Mr. HULL of Iowa. We are making more every year.

Mr. KEIFER. What type of gun?

Mr. HULL of Iowa. It is the latest improved rifle—United States service rifle.

[Here the hammer fell.]

Mr. DOUGLAS. I ask unanimous consent that the gentleman may proceed until he concludes his remarks.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman from Iowa may continue until he concludes his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL of Iowa. Now we have, as I say, these 650,000 of the modern, latest-improved gun. I believe every expert will say that it is equal to that used by any army on earth. In addition to that we have 350,000, plus, of the Krag-Jørgensen rifles, almost as good a gun; but there are a few little improvements that have made this other and later gun the better weapon. The Krag-Jørgensen gun is now to be supplanted by the Government, but it is a good gun; and if we needed a million of men to-morrow, they would be used for that million of men as far as necessary.

Mr. BUTLER. Do they use the same ammunition?

Mr. HULL of Iowa. No. They are about the same, but a little difference in the ammunition. The Krag-Jørgensen is now used by the militia. The Government is gradually calling them in, and the modern guns are issued, so that there will be a uniformity in the arm that is used, so that same ammunition can be used.

Mr. SCOTT. How fast can the Springfield rifle be manufactured?

Mr. HULL of Iowa. About 125 a day under a small appropriation made by this bill, but with three shifts 500 a day, easily. We have guns enough. Of course, you have got to have a large reserve of guns, because in time of war there is an immense wastage of guns.

They are destroyed or lost or they are injured. But the armories now in the United States can manufacture them fast enough with three shifts to take the place of the entire wastage and keep a million men armed. Now, I say when a man sends out the kind of stuff in this article in the Post and puts it in the Record, I feel that it has no business to go in the Record to try and startle the people of this country with the idea that they have no Army and Congress makes no provision to meet an exigency when it shall arise. It is an unnecessary agitation of the minds of the people and conveys false information, whether it is from a man who calls himself a military expert or any other kind of a citizen. He is a man whom I presume never commanded a troop, a regiment, or a squad; a man who probably never saw a battle, but, sitting in his library and reading, says that we have only 40,000 men that we can put in the field. The gentleman forgets the fact we have and always will have a small standing Army; we never will have anything else; but we have back of that the great patriotic citizenship of the United States, that showed during the Spanish-American War there were a million of men who offered their services where only 225,000 were called for.

We ought to be able to arm and equip whatever number are necessary. We ought to prepare them for the service as much as we can. We have 120,000 National Guardsmen now fairly well prepared. They would come into the service with but very little delay. We have about 70,000 Regulars who would go into the service at once, and they would be filled up to the maximum war strength by new recruits, who, standing by the side of trained men, would make good soldiers in less time than any new organization could. I know when the Spanish War broke out it was said that with our little army of 24,000 men we could not do anything until the volunteers were mustered in and prepared, yet 16,000 of those men went to Cuba and put down all opposition to American authority before the volunteers were ready for action.

Mr. KEIFER. Oh, some of them were there.

Mr. HULL of Iowa. Oh, they had some, but the largest part of the volunteers were in this country when the war was ended. Spain had an army of 80,000 men. Even some of our real military men thought it was dangerous to send a small body of troops over there; but the tendency of the Anglo-Saxon race has always been to take chances, and nine times out of ten those chances have proven successes by the very daring of the enter-

prise. And so I say to this House, and I hope to the country, that while we have a small army, we are accumulating the reserves that are necessary to equip a larger one, and, in my judgment, this hysteria of fear that we are to be overwhelmed in some way has no foundation, and that disaster will never come about while the American people retain the character that they have to-day. [Applause.]

Mr. DOUGLAS. I move to strike out the last two words. I believe that the House and the country owe a debt of gratitude to the able chairman of the Committee on Military Affairs for the speech he has just made.

I have no fault to find whatever with civilians who undertake to criticize and call attention to what they deem to be defects in our preparedness for war, either in the Army or the Navy, but I do believe that when an attack is made such as was published in a leading Washington newspaper this week it is well for a man as well informed as the gentleman from Iowa [Mr. HULL] upon this whole subject to raise his voice in protest and at least to give the Members of the House and the people of the country an opportunity of knowing the facts.

In the days of my boyhood I read a book written in England during the Napoleonic days, called the "Battle of Dorking," which is no doubt familiar to most of those within the sound of my voice. In this book the author portrayed with great vividness a supposed invasion of England and the capture of London by a French army. I heard upon the floor of this House during a recent session another account of another whole series of "battles of Dorking" by the distinguished representative of the Navy and of the State of Alabama [Mr. HOBSON]. I believe then it was to be a German army of 50,000 trained troops that was to land somewhere upon the eastern shore of Virginia, and having captured Norfolk, Richmond, and Washington, proceed north, taking in succession the various cities of the country. At the time I heard this there occurred to me a somewhat ancient but apt Irish story that illustrates with some force what seems to me to be an answer to the gentleman's perilous prediction. This was the old story where Mrs. Murphy threatened to slap Mrs. O'Flaherty's mouth, and Mrs. O'Flaherty replied, "And what do ye think I'll be doin' while ye are slapping me mouth?" [Laughter.]

I do not believe that any useful purpose is served by this sort of scare headlines in the papers or speeches on the floor. I do not altogether agree with the remarks of the gentleman from Iowa, that the opening of the Spanish War demonstrated our ability to prepare quickly and effectively for war; but whether this be so or not, I do not believe—and it is this and this only that leads me to rise and say what I am saying—that it is the imperative demand of the mass of the thoughtful people of this country that instead of constantly increasing the expenses of the Government for Army and Navy purposes, we ought to save something for the increase of our internal improvements, the improvement throughout the country of agricultural conditions, in order to increase our food supply, and doing more to meet the many peaceful demands upon our revenues. So I am very glad, indeed, that the gentleman from Iowa has made the statement that he has made. [Applause.]

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGLAS. With pleasure.

Mr. HOBSON. I want to ask what was the necessity for the gentleman to go way back to England for his facts and to Ireland for his metaphors, when in 1812 we had a war of our own, and, as Mrs. Flannagan, we called out 527,000 men.

Mr. DOUGLAS. I beg the gentleman's pardon; if he wants to make a speech, he can make it in his own time.

Mr. HOBSON. The gentleman from Ohio is through, and I am going to ask my question in the end. We called out 527,000 men, as Mrs. Flannagan, and the British navy had not over 16,000 men in American waters; and yet Madam Murphy, with less than 3,500 men, burned the city of Washington. Why did the gentleman have to go so far away?

Mr. DOUGLAS. I did not have to go; I went.

Mr. TAWNEY. Mr. Chairman, I am glad that the chairman of the Committee on Military Affairs has called attention to the article of Mr. Huidekoper, printed in all the leading newspapers of the country last Sunday. I hold in my hand the article prepared by Mr. Huidekoper.

On last Friday the gentleman from California [Mr. McLACHLAN] secured consent to have this article printed in the CONGRESSIONAL RECORD. It has not yet been printed, but the gentleman from California informed me yesterday that he intended to print it in connection with some remarks he intends to print on the Army appropriation bill.

Mr. HULL of Iowa. Will the gentleman yield for a question?

Mr. TAWNEY. Yes.

Mr. HULL of Iowa. A gentleman rose in his place and said he wanted to extend his remarks on that bill in the RECORD. Consent was given. Does the gentleman from Minnesota [Mr. TAWNEY] think that permission would justify the insertion of such an article as this?

Mr. TAWNEY. I have examined the RECORD and find that the article has not been printed, but, as I said, on yesterday when I asked the gentleman from California if he had the statement of Mr. Huidekoper, he said he had, and also said that he intended to print it in connection with some observations he would print on the Army bill in a few days.

The author of this article is Frederick Louis Huidekoper, a member of the bar of the District of Columbia, a graduate of Harvard University and several other colleges, including the law school of Georgetown University in Washington.

Now, the first sentence of this article, as the gentleman from Iowa has pointed out, is false:

The American people should know that their Army is in a lamentable state and that our means of defense, except the Navy, are virtually nil. The recent report of the Secretary of War was made in consequence of a resolution introduced in the House of Representatives by the Hon. JAMES McLACHLAN, a Member from California. It disclosed a condition of affairs so disgraceful that it has been suppressed, under the excuse that it was purely "confidential." Mr. Dickinson's report probably did not contain one single thing which is not known to well-informed military men, both in the United States and all over the world.

Mr. Chairman, this statement and the statement of other military officials and so-called military experts as to our unpreparedness for war presupposes one of three things: Either that these men do not know what they are talking about when they say that "our means of defense are virtually nil"; or that the money we have appropriated and expended since 1902 in preparation for war has been squandered; or it means that to place our country in such a condition of preparedness for war as these men advocate would absolutely bankrupt the Nation. One or the other of these three propositions must be true, according to the statements of these so-called military experts, who seem to be constantly engaged in endeavoring to inflame the public mind and the press of this country by representing that we are in a deplorable condition from the standpoint of our national defense.

The gentleman from Iowa has shown that, as far as Mr. Huidekoper is concerned, he does not know what he is talking about, or he would not have published the statement he did regarding our reserve supply of ammunition, nor would he have characterized our Army, the pride of every American, as being in a "lamentable state."

Why should our country be in this alleged defenseless condition? Certainly it can not be because Congress has not appropriated a sufficient amount of money to enable our war officials to place the country in a condition of reasonable preparedness for war. The amount we have expended in preparation for war during the past 10 years, including the current fiscal year, is almost within \$400,000,000 as much as was the bonded debt of the United States on the 15th of August, 1865, at the close of the Civil War. It is four times the aggregate loss to the people of the United States and Canada on account of all the great fires between 1820 and 1905, or during a period of 85 years. The amount we have expended during the last ten years in preparation for war alone would build more than five Panama canals, which is the greatest undertaking that any nation in the world has ever embarked upon; and according to the statement of Mr. Huidekoper himself, as to the cost of the Spanish-American War, we have expended in preparation for war during the past 10 years more than four times the amount expended on account of that war.

Mr. Chairman, during the past 10 years, in dollars and cents, our aggregate expenditures on account of preparation for war aggregate \$2,192,036,580.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STANLEY. Mr. Chairman, I ask unanimous consent that the time be extended for 10 minutes.

Mr. DOUGLAS. Mr. Chairman, I ask unanimous consent that time be extended so that he may be permitted to conclude his remarks.

The CHAIRMAN. Is there objection?

Mr. HULL of Iowa. Mr. Chairman, I object to an unlimited time, but will not object to 10 minutes.

The CHAIRMAN. Is there objection to the gentleman's time being extended for 10 minutes?

There was no objection.

Mr. TAWNEY. Mr. Chairman, none of that vast sum was expended on account of past wars. Every dollar of it has been expended in preparation for war and on account of our military establishment. And, as I said a moment ago, that amount is only a little over \$400,000,000 less than the aggregate bonded

debt of the United States on the 15th of August, 1865, just after the close of our Civil War. The exact amount of the bonded debt of the United States was \$2,670,815,000.

As shown by the annual report of the Underwriters' Association, the people of the United States and Canada sustained an aggregate loss of \$539,850,000 on account of all the great fires from 1820 to 1905, including the fires at Chicago, Jacksonville, Ottawa, Boston, and Baltimore.

The highest estimated cost of the construction of the Panama Canal is \$400,000,000. The amount, therefore, we have expended in 10 years in preparation for war and for our military establishment would build more than five Panama Canals.

Mr. Chairman, if we are in the condition of unpreparedness for war that these military experts and representatives of great armament manufacturers claim, can anyone estimate the cost to the people of putting this country in a condition where we would be able to resist the military power of any nation with which we might hereafter engage in war?

I will print in connection with my remarks a detailed statement of this aggregate expenditure so that the Members of the House may see all the various items which go to make up the aggregate amount of \$2,192,036,585.20.

WAR EXPENDITURES, 1902 TO 1911 (10 YEARS).

Navy:	
Naval appropriation acts.....	\$1,028,676,883.11
Deficiencies.....	47,407,841.98
Navy Department, Washington, legislative acts.....	7,061,934.00
Auditor for Navy Department, legislative acts.....	1,292,048.00
Printing and binding, sundry civil acts.....	1,543,100.00
Permanent appropriations.....	19,605,000.00
Total Navy.....	\$1,105,586,807.09
Army:	
Army appropriation acts.....	875,290,317.19
Deficiencies.....	22,319,431.15
War Department, Washington, legislative acts.....	19,335,616.00
Auditor for War Department, legislative acts.....	4,066,680.00
Printing and binding, sundry civil acts.....	2,567,500.00
Permanent appropriations.....	9,855,000.00
Armories and arsenals, sundry civil acts.....	5,210,175.00
Military posts, reservations, target ranges, etc.....	24,413,671.99
Miscellaneous objects, transportation of remains of soldiers and civilian employees, and preparation of maps, sundry civil acts.....	586,000.00
Total.....	963,644,391.33
Military Academy acts.....	14,528,204.57
Deficiencies.....	82,377.33
Total.....	14,610,581.90
Total Army.....	978,254,973.23
Fortifications acts.....	71,173,527.22
State, War, and Navy Department Building, legislative acts.....	1,815,552.19
Soldiers' Home, Washington, permanent appropriations.....	7,982,000.00
Government Hospital for Insane, sundry civil acts.....	5,556,647.47
Total.....	15,354,199.66
Militia:	
Militia, permanent appropriations.....	21,000,000.00
Militia, District of Columbia, appropriation acts.....	667,078.00
Total militia.....	21,667,078.00
Total war expenditures.....	2,192,036,585.20

Mr. BUTLER. Will the gentleman permit a question?

Mr. TAWNEY. Yes.

Mr. BUTLER. I have not read the article in discussion, of which the gentleman speaks, but will he please inform us whether or not the writer of the article criticizes Congress for not having made sufficient appropriations for military purposes?

Mr. TAWNEY. He criticizes the policy of our Government.

Mr. BUTLER. In failing to expend more money?

Mr. TAWNEY. In failing to provide adequately for our national defense.

Mr. BUTLER. Does the gentleman think that the criticism is worthy of an answer?

Mr. TAWNEY. Mr. Chairman, I do; especially when such criticism is indulged in by men in high military positions as well as by men of Mr. Huidekoper's reputed ability as a military expert. I also think we are justified in calling attention to

these criticisms when it is proposed to publish them in the CONGRESSIONAL RECORD, and when a synopsis of such criticisms is syndicated and published broadcast throughout the United States in the leading press of the country. I do not think we should permit such false impressions as the article referred to is intended to create to be heralded broadcast throughout the country for the purpose of inflaming the minds of the people and the press of the country, thereby giving greater excuse and greater opportunity to aid in carrying on the agitation for additional and more expensive as well as unnecessary armament for the benefit of those private interests in the United States that are engaged in the manufacture and construction of such armament.

Mr. GOULDEN. Will the gentleman yield?

Mr. TAWNEY. Yes.

Mr. GOULDEN. For the information of the House and the country, I hope the gentleman will tell us what qualifications this gentleman possesses to act as a military critic.

Mr. TAWNEY. If the gentleman who is going to print this article in the RECORD will publish the last page, he will find that there are two biographies attached to it, telling who Mr. Huidekoper is.

Mr. HULL of Iowa. And the work he has already published?

Mr. TAWNEY. And the work he has already published.

Mr. BUTLER. Has he done any fighting?

Mr. TAWNEY. None; except with his pen.

Mr. BUTLER. Then, I would not bother with mouth work. [Laughter.] There is no more danger of war than snow in August, not a particle.

Mr. TAWNEY. Mr. Chairman, in conclusion I desire to emphasize the fact that if, after the expenditure of two and a quarter billions in 10 years in preparation for war, we do not even approach a condition of preparedness for war that would enable us to defend ourselves against a foreign foe, then it is impossible for us to adequately prepare for our national defense without exhausting our national resources, ruining our national credit, and bankrupting our Nation. [Applause.]

It is natural for military officers and experts, devoted as they are to the special problems of war, to be proud of the extent of our military forces and to feel humiliation and fear in the presence of armaments superior to ours. They are brave men, all of them, and the whole country is proud of them. But no appreciation of their invaluable services and glorious achievements in the past should blind us to the fact that the functions of armies and navies in the future, if they are not to bankrupt nations, are to be entirely different from their functions in the past; that the time for international war is passing, and that the world to-day has entered upon an era of industrial and commercial confederation, in the presence of which international war, for any cause, will hereafter be looked upon as an international crime.

Mr. KEIFER. Mr. Chairman, I think this discussion is a valuable one for all of us and valuable to the country. I can add but a word or two. Our preparedness for war, so far as operations upon land are concerned, I am entirely satisfied with. There is no want, I believe, of men in the Regular Army, and there will be no lack of men in time of war from the citizen soldiers of the United States. There is no difficulty about recruits for both the regular and volunteer armies in time of war. Something was said in the newspapers, and pretty freely circulated in the early days of the Spanish-American War, about the degeneration of the young men of this country, and they were compared with the old soldiers of the Civil War. That was exceedingly unjust, because I believe that the blood that ran in the veins of the young men at that time and this is as good and heroic as the blood of their fathers in the Civil War, or of any other period. I do not believe in the running out of heroism or valor or intelligence in these days; but the comparison was made unfairly, because it was thought they were not as good soldiers in the beginning as the old soldiers who had gone through the campaigns of the Civil War for four years or more, many of them.

Now, good soldiers can not be made purely and alone in camp. It requires campaigns and battles. It has been well said, and I think concurred in by distinguished men of experience, that the soldiers in either army who fought the great battle of Gettysburg (July 1-3, 1863) were not good enough soldiers in their training, in obedience to command, to have fought the battles which were fought later (1864), especially in the battles of the Wilderness, at Spotsylvania and Cold Harbor, and in Sherman's Atlanta campaign, where there was no such thing as stampeding organizations or any part of the Army. Nor could any considerable part of either army be driven from the field except after exhaustion in fighting. So it requires the experience of years and battles, and therefore I say that the

young men of this country will be just as willing and ready to stand in their places and fight the battles of this country should battles again have to be fought, as were their fathers. But there is another condition, Mr. Chairman. We have to be prepared on our coasts, to say nothing of our fleets and ships of war, in distant parts. Continental United States has a coast line, excluding inlets and bays and excluding Alaska, of a little over 32,000 miles, about one and a third times the distance around the globe at the equator, and this has got to be provided for. There is much misapprehension in the country about what constitutes preparations for defense. Many would-be military experts are greatly in error as to what constitutes a good preparation for war on the coasts of the United States. It is not every place and every point of the coast that needs to be prepared with fortifications, and so forth. We have certain places like New York, Baltimore, Boston, New Orleans, San Francisco, and a few other places perhaps that we must protect, but what avail would it be for a great power if it was able to land at thousands of other places around our coasts. It would take a little region here and there, but it would do but little toward conquering the United States, and such invasion would soon be driven from any place to which it might be. So that with our preparations for war at the great busy centers such as we could name, only a few will be well prepared to resist any attack should it come.

And, Mr. Chairman, in conclusion let me say that the day, in my belief, is far distant when a nation from a foreign part will assail the United States in its continental geography, and if it does, instead of having a million men ready to resist it, there will be five millions of men ready to spring to overthrow it. Such a war will never come, in my opinion. I am not one of those who believe we are ever likely to have a great war which will involve the continent of this country.

Mr. SULZER. Mr. Chairman, at the request of a former member of this House, the Hon. Robert Baker, of New York, a gentleman whom I regard most highly, especially on account of his fidelity to principle, I send to the Clerk's desk and ask to have read in my time an article on a matter of moment, by Dr. William P. Hill, of St. Louis, Mo.

The Clerk read as follows:

PRIVATE PROPERTY PRESERVED AND PUBLIC PROSPERITY PROMOTED.

[By William Preston Hill, M. D., Ph. D., St. Louis, Mo.]

From the earliest period of man's existence up to the middle of the nineteenth century the problem, that confronted the world was one of production—namely, to produce enough to satisfy the material wants of all its inhabitants. This problem may now be regarded as practically solved. Every country to-day produces, or with the knowledge and power at their command could produce, wealth sufficient to satisfy the needs of all its people.

The only pressing question, therefore, confronting the present generation is that of distribution. The issue has shifted from a material to a moral and ethical problem.

The question is, Shall the mastery over the forces of nature we have acquired and the marvelous discoveries of modern science conduce to the welfare and needs of all the people or shall they be the property of a few?

All the evils that accompany advancing civilization—unrequited toil, involuntary idleness, undeserved and helpless poverty, with their train of misery, vice, and crime—can be traced to the unjust and unequal distribution of wealth. This has its roots deeply enmeshed in the laws of property which have hitherto prevailed in all civilized countries.

MAN'S OWNERSHIP OF HIMSELF.

I am in favor of private property. Private property is unquestionably the basis of civilization. The desire for property is one of the elements of human nature, and a system affording opportunity for its exercise must ever be retained in organized societies. I am convinced that the still greater development of civilization in the future can only come from a still fuller recognition of the true rights of property.

But what is the fundamental basis of this right? What is it that gives it all the force and validity which it has? What is the moral foundation for it?

It rests on the law of nature that every man is entitled to the ownership of himself; that the powers of his mind and body are his as against all the world, and that from this ownership of himself by himself springs his right to the ownership of the material things to which he has imparted a part of himself, to wit, the energy of his own mind and body. This is the true basis of private property.

SLAVERY AND THE FREE WORKER.

When I say, therefore, that I am opposed to human slavery because I am in favor of private property I am not uttering a contradiction. Private property rests on the ownership of man by himself; but slavery is the ownership of one man by another. A slave, therefore, could not constitute real property or wealth in their true sense.

The ownership of a slave is simply a privilege created by law, and when the law creates this privilege it is not upholding or defending the true rights of property. It is committing an assault upon them.

We find, therefore, that the law may create and recognize certain forms of spurious property which are an assault upon the natural rights of its citizens instead of a defense of them.

Any so-called property created by law comes under this category, because the law can not exert energy and therefore can not create any real property or wealth. Only beings endowed with life can put forth energy in production. The only thing the law can accomplish in its relation to property is to take away the wealth from some persons who have produced it and give it to others. It can transfer the title and thus the ownership of wealth and that is all.

PROPERTY CREATED BY LAW.

To make this perfectly clear, let us suppose a community of a million people living exactly as we live to-day in any large city of this country. Let us suppose that a census has just been taken which has shown the property at present recognized by law to be as follows:

Land values.....	\$300,000,000
Buildings and improvements.....	200,000,000
Personal property.....	300,000,000

Now let us suppose, for the sake of this argument, that 700,000 of these people conspire against the other 300,000 to reduce them to slavery, and that there is nothing in the Constitution to prevent it, and that they succeed in accomplishing their purpose. In addition, then, to the property above enumerated you would have another species of property. The value of a slave averaging about \$1,000, if the census enumerator made his return after that change he would for those 300,000 slaves be compelled to add another item of \$300,000,000.

Let me now ask the question: Has the real wealth of that community been increased by that apparent increase in property? Evidently not! It would be absurd to say that a free laborer is worth nothing for enumeration in the census, but when converted into a slave he is worth \$1,000 as property. Even the ancient Greek poet, Homer, said: "The day that makes a man a slave takes half his worth away."

In addition to being a poor producer, a slave is also practically eliminated as a purchaser and consumer of wealth. Slaves only get what their masters give them. It is easy to imagine, therefore, what the effect would be on the economic conditions of that community. All merchants of every description, from the small grocery and meat market to the big department stores, the barbers, shoemakers, doctors, druggists, dentists, places of amusement, etc., would instantly feel the effect, and many of them would be crowded into bankruptcy. Even the street railways and the big newspapers would not escape the effect. The result would be about the same as if 300,000 of their customers had been annihilated. It would be an economic calamity of the first magnitude, which would spread ruin and destruction in every part of the social organism.

Here, then, we have the creation of \$300,000,000 of apparent property which has diminished the real wealth of the community.

What, then, does the value of a slave consist of?

It consists of a special privilege, created by law, which permits the owner to appropriate to his own use any wealth which the slave may create in the future, and the owner values this privilege at \$1,000.

It had nothing to do with any work already done by the slave nor with any intrinsic value in him. It related entirely to the future production of the slave. The law, then, when it made a slave did not create any value. It simply transferred the title to the wealth which the slave might produce in the future from him to his master. This slave value, therefore, was in the nature of a mortgage on the future production of the slave which the slave had to make good with his labor.

LAND TITLES LIKE SLAVE LABOR.

Other property which owes its existence to law and not to labor comes under the same category. A land title, for instance, is simply a special privilege created by law. If we analyze it, we shall find it is similar in its nature to the ownership of a slave. The value of land, like the value of the slave, consists in the power of the owner to appropriate to himself the future production of other men who must use that land or have dealings with the people who do use it.

The value of land, therefore, like that of slaves, is in the nature of a mortgage on the future production of the producers of wealth. The law, therefore, when it grants this privilege is simply transferring the title to a part of the future production of the community from those who produce it to the landowner. To make this clear I will use an illustration.

WORK UNDER NATURAL CONDITIONS.

When gold was discovered at Nome only a few of the first prospectors were successful in locating claims. Toward the middle of summer the majority straggled back to Nome, and, being without means, were compelled to work for anything they could get. Under this influence wages went steadily down to about \$3.50 per day, which was the least a man could subsist upon in that region. One day a prospector discovered gold dust in the sands of the beach, and he and his friends immediately began staking out the usual mining claim, 200 feet by 1,500 feet. A lawyer told them that the Government did not grant any title to land within 60 feet back of the high-water line; this remained public property forever. Thereupon everybody out of work went to the beach to pan gold, and it became necessary for the miners to make a working agreement among themselves. They agreed to allow each man to work a space 15 feet by 60 feet, and to respect his rights therein so long as he actually worked it. He, however, acquired no title, and when he abandoned it anybody else might take his place. It was found that by working hard all day a man could pan about \$8.50 of gold. When this fact became generally known there was an exodus of all classes of laborers to the beach, and, in consequence, all employers of labor were compelled to advance wages to about \$9 per day in order to retain their helpers. You are compelled to pay a man more to work for you than he can make working for himself.

The point illustrated by the above is this: If there had been a law to enable the Government to grant a land title to the few who discovered gold in the beach, those few would have been made rich by that law-created title, but the condition of the balance of the workers would have remained practically the same. They would have produced \$8.50 of wealth a day, but would have received only \$3.50 of it, and the rest would have been transferred to the holders of the land title.

This, then, is the effect of a land title. It takes a part of the future production away from the worker and transfers it to the holder of the title. And the market value of those lands would be based on the power of the landowner to appropriate to himself the difference between the \$3.50 and the \$8.50.

Now, let us apply this proposition to the question of the conservation of our natural resources.

THE BEARING OF CONSERVATION.

Mr. Pinchot, in his Minneapolis speech, said: "Conservation has captured the Nation. It is a moral issue, and the heart of it is this: For whose benefit shall our natural resources be conserved, for the benefit of all the people or for the benefit of a few?"

Take, for illustration, the Alaska coal lands:

Certain big capitalists have tried to secure a title to these lands from the Government by every species of fraud, bribery, corruption, and perjury. They want to become absolute owners forever.

Why do they want this unlimited and unconditional title? Is it simply to develop some coal mines? Certainly not! What they want is the power to prevent everybody else from working those veins. They want the exclusive right and the power that goes with such a title. They know the value of a land title and what its effect will be: That it will transfer to themselves the future production of the workers of that locality and of all the people who must use that coal.

If they succeed in securing the title, they will capitalize it at \$1,000,000,000 and upward, and it will be worth it, because they will have practically a blanket mortgage on all the future population of Alaska and the western coast of America. And then, when the free American citizen, deprived of his natural resources, will have to beg them for a job, he will be refused, because such people desire slaves—they do not want free laborers. They will do like the anthracite-coal trust of Pennsylvania—import a lot of Bulgarians, Roumanians, Poles, and Slavs who will work for starvation wages, buy their goods at the company store, never handle a cent of money, and never be able to leave. And perhaps these laborers may after awhile absorb the spirit of American independence, form a labor union, and go on a strike to better their miserable condition. Whereupon the trust will appeal to the Government to send troops to shoot them down, maintain law and order, and protect the sacred rights of property. It is amusing to see how soon a property that has been obtained by every species of crime develops a halo and surrounds itself with sanctity.

The point, however, the people should not overlook is that all the mischief against the producers of wealth has been accomplished when we grant the land title. When that is done, their right and title to their future production has been transferred to the monopolists. We have by that act created the conditions of slavery in which the few are masters and the many are slaves. We have placed them in the grasp of economic conditions which are as relentless as fate itself. Such a grant, therefore, would be an outrage upon the American people and an assault upon the true rights of property.

There is no necessity for the Government to part with its title. Better and safer development can take place under lease and royalty than under uncontrolled title; and the royalty so obtained would lessen the general burden of taxation.

Lest some persons may say that this applies only to the frontier regions of the West and Alaska, I will use another illustration:

REACHING FOR AN OYSTER MONOPOLY.

The dwellers on the shores of Chesapeake Bay have always enjoyed the privilege of fishing in those waters where all kinds of fish, oysters, crabs, etc., are so abundant that a man can make good wages working for himself. This has constituted for them a natural resource. In consequence of this, wages within a radius accessible to those waters have ruled higher than further inland. The reason is obvious. A man had the alternative of working for himself or working for others. So it has happened lately that the landowners have tried to induce the Government to sell the tide lands into private ownership so as to exclude the right of fishing enjoyed by the people. What they wish to accomplish by this is that the people will no longer have the choice of working for themselves, and in consequence they will have to work for from 30 to 50 per cent less wages than they are receiving now, and this 30 to 50 per cent will accrue to the holders of the land titles.

What, then, will the value of those lands consist of?

It will be based on the difference between what labor produced when they had free access to a natural resource and the wages they must work for when they have been excluded from it.

A CHANCE TO WORK FOR ONE'S SELF.

Another point that this illustration brings out is that the complete effect of private property in land is not felt until all the natural resources have passed into private ownership. In other words, until the monopoly is complete. As long as some natural opportunities are open to the people they still have the choice of working for themselves, and this prevents them from being squeezed down to starvation wages. That they can work for themselves also prevents the land that has already passed into private ownership from becoming as valuable as it does when the monopoly is complete.

For this reason the great Italian economist, Dr. Achille Loria, has classified communities into free or slave communities according to whether the land has been completely monopolized or not. He has demonstrated that where all the natural opportunities have passed into private ownership, such communities take on all the aspects and ethics of a slave society. This shows us clearly what we will come to in this country when all our natural resources will be monopolized.

A VOLCANIC ERUPTION'S ECONOMIC RESULT.

Some years ago we were startled by the news of the eruption of the volcano Mount Pelee, in the island of Martinique, and the destruction of St. Pierre, its principal city. This was a great calamity, and on visiting the island some years later I expected to find a scene of desolation and waste. But to my amazement I found that the island was more prosperous than it had been for generations. Wages had greatly increased, industry and commerce were active, and the whole community was on the crest of a wave of prosperity. I inquired the reason of this strange phenomenon from some resident friends and was told the following:

Nearly all the rich landowners of the island lived in St. Pierre, and most of them, including their relatives, had been annihilated by the eruption. Furthermore, the records of land titles and of mortgages and debts had also been completely destroyed. To be sure, many of the common people had also been killed, but the balance of them went out upon the land to work free from the obligations which weighed down their predecessors. The destructive forces of nature which had wrought such havoc and confusion on the island had also destroyed the parasites who had been absorbing the greater part of the fruits of their labor. The volcanic forces which had exploded the mountain had also lifted the burden of special privilege from their backs and they stood forth free men once more to satisfy their wants by their own labor as nature intended.

Of course if the same system of land tenure was retained it would in time produce the same results and create other landlords and other tenants and the same accompanying extremes of riches and poverty.

But the point of this illustration is that the only real wealth that had been destroyed were the buildings and improvements and the personal property therein contained. The destruction of land titles and landlords had not destroyed any real wealth, the land was still there and just as productive. When they were annihilated the only things that had been destroyed were the power that some men possessed to appropriate the labor of others without returning them any equivalent and the price that this privilege could be sold for in the market.

LANDLORDS MOST DISPENSABLE CLASS.

Another point made clear by this illustration is this: If fate had singled out any other class of people, such as carpenters, plumbers, machinists, bricklayers, doctors, druggists, etc., and destroyed them it would have been necessary to replace them with others of their kind, because they were rendering useful service to the community, but the landlords when destroyed were not missed. On the contrary, their disappearance was a positive benefit to the island and caused prosperity. And yet, as a class, they were the very ones who were benefitted most by any improvements in invention, transportation, commerce, or industry. In short, by any material advance in civilization.

Is it not a curious paradox that the very class who are rendering the least service to the community and whose elimination is a benefit should be the ones who get the lion's share of all the improvements of our civilization?

Is it not as clear as day that there is something wrong with a system of distribution which rewards the idlers and stints the industrious; which gives all the rewards and benefits to those who do nothing for it?

NO REAL PROPERTY IN LAND VALUES.

What we call a land value, therefore, does not constitute any real wealth or property.

The price of land only represents the wealth the owner is able to extort from all those who produce it, either with head or hands, by reason of his law-created privilege. When this selling price is reduced by taxation or wiped out by the repeal of the privilege no real value is destroyed.

The only change effected is that the producers retain for themselves that portion of their own production which was previously absorbed by the landowners. The title to their future production is transferred back to themselves, and with it all the value represented by the selling price of land.

THE CAUSE OF PROSPERITY AND HARD TIMES.

The capitalized land values in the United States are estimated at over fifty billions of dollars. It can readily be seen what a tremendous burden this is on the producers of wealth. It is their annual production which sustains this colossal capitalization. It is based almost entirely on the power of the landowners to appropriate the lion's share of the annual production. It is easy to imagine the effect we would produce on our industrial system if we transferred even a part of this wealth back to those who produced it. We would lift our whole economic system to a higher plane and create a prosperity as yet undreamed of.

Let us recur to our illustration of the city of a million people. We have seen that the reduction to slavery of one-third of its inhabitants would produce widespread ruin. Let us now imagine that after this city had become accustomed and adjusted to the contraction rendered necessary by this slavery the slaves were suddenly set free. All business would then have to expand to meet the new condition, and we would have what is called a "boom." We can see, therefore, that it is contraction in the purchasing power of the masses of the people that causes "hard times," and expansion in their purchasing power that causes prosperity. We can also see that if we transferred the \$300,000,000 of land values (in the city of our illustration) to the producers of that wealth it would cause a still greater prosperity. The purchasing power of the people would be enormously increased. There would ensue an industrial, building, and commercial boom of long duration. We can also see one of the contributing causes of our so-called periodical panics. These are always preceded by a land boom of considerable magnitude. A land boom means contraction in the purchasing power of the masses of the people. When a piece of real estate increases in value from \$2,000 to \$4,000, it means that the landowner is able to absorb twice as much as he did before from the producers of wealth.

THE PARALYSIS OF INCREMENT.

But there is one respect in which land ownership differs from slave ownership. A slave had to be maintained, whether he worked or not, and therefore there was a loss when he was idle. Furthermore, he did not increase in value. But land may be held idle for speculation and increase in value, so as to show a profit to its owner. This feature of land ownership hinders, delays, and prevents production.

I need not dwell on this phase of the question, because everyone is familiar with the miles of vacant lots around every industrial center and the vast acreage adjacent to every large city held idle for speculation by which industry is checked and stunted. Even the mining regions of the West are plastered over with mining claims of every description, the owners of which are simply holding for speculation without any intention of developing them.

THE CASE OF THE PIONEER.

The reason many people have found it difficult to understand the land question has been because the occupation and use of land involve two widely distinct acts: One when land is scarce in comparison to the population that must use it and the other when land is plentiful and free of access to anybody. In this last case it has no power to draw economic rent.

Upholders of private property in land always hark back to the pioneer who goes out into the wilderness and subdues it with his own labor and brings the land into a state of cultivation. It is evident that such a man is only exercising his natural right and that he does not interfere with the rights of others, because anybody is at liberty to do likewise when there is plenty of free land; but a different condition arises when population accumulates around that land and it becomes a center of industry. Then economic rent develops and with it the power to absorb the labor and to control the lives of others. The mistake of granting the pioneer a perpetual title, then, becomes apparent.

The pioneer who occupied the upper portion of Manhattan Island handed his title down until about 100 years ago it was bought by the first Astor for \$20,000. That land is now in the heart of New York City and is worth more than \$400,000,000. It enables the Astor family to levy an annual tribute of many million dollars on the inhabitants of New York City, who must use that land in their daily pursuits; and even on the inhabitants of the whole continent, indirectly, by their commerce with that city.

The invention of the elevator added millions of dollars to the value of their lands, because it enabled the erection of buildings 30 and even 50 stories high in the place of 4-story buildings—showing how the lion's share of invention and improvements also go to the landlords. Another illustration of this is that the rural free delivery of mails increased the land values affected by it \$750,000,000. Less than 20,000 people own all the land of Manhattan Island, and less than 80,000 people own all the land of Greater New York. This land has been as-

sessed at \$3,500,000,000, and it is estimated to be worth at least double that amount. This is a value greater than that of several of the richest agricultural States in the Union, including all their cities and property of every description. It is these great values in our large cities we refer to when we speak of land values. The farmers, as a class, own a large land area, but comparatively little land value.

GREATEST IMPROVEMENTS ON LEASED LANDS.

There is no need to refute the fallacy that no one will improve land unless he owns it in perpetual fee. The greatest improvements, amounting to millions of dollars, have always been made on leased land.

ABOLISH SPURIOUS PROPERTY.

Now, what is the remedy?

It is very simple. Abolish all those spurious forms of property created by law, which are nothing more than licenses for some men to rob their fellows.

Establish the principle in our Constitution that human rights and property rights shall be henceforth identical; that we will recognize no property rights except those which spring from human rights.

There can be no real contest between property rights and human rights. The two are indissolubly joined together. Nothing brings greater security to property rights than a scrupulous regard for the natural rights of every human being, and nothing so surely undermines property rights as a disregard for human rights. The real defenders of property are those who insist upon the destruction of any system whereby men take advantage of their fellows under the guise of law. Our Constitution already forbids investment in chattel slaves, and it is evident that this provision does not deprive anybody of any natural right. On the contrary, it protects the natural rights of those who might otherwise become chattel slaves.

Let us base our system of land tenure on actual occupation and use, and not on paper titles sustained by the force of the Government. The ideal system is that in which each farmer owns just enough acreage that he can till with his own labor and that of his family. Our object should be to increase the number of such people and not to dispossess them. Our taxation system and our laws should be adapted to that end.

Let us retain, as some of our politicians are at this late day advocating, the national ownership of our natural resources, to wit, our forests, water powers, mineral deposits, etc., and develop them by leases, with royalty to the Government.

Let us reform our system of taxation. In taxation we have a powerful weapon against special privilege and monopoly.

Let us suppose that the Government before the war had been able to place a tax of \$50 a year on every slave. The selling value of slaves would have immediately diminished; and if the Government had raised the tax high enough for each slave the owners themselves would have set them free.

Just so when we tax special privilege. We take away a part of it and transfer it to the Government, and thus we decrease the burden of taxation on the masses of the people.

There are only two classes of property taxation can fall upon:

The first class is the spurious property created by law, which means special privilege. To tax this is simply to divert to public purposes wealth which has been extorted from all the people by the law-created monopoly.

The second class is the real property produced by labor. To tax this is to place an additional burden on the producing masses, because a tax on the products of labor must eventually be borne by the producers themselves.

At present the producers of wealth bear two burdens: The burden of special privilege and the burden of taxation. Relieve them of one of these burdens and their condition will be improved.

Furthermore, a tax on special privilege diminishes its power, and if we tax it high enough we will loosen the grip of monopoly and free the people.

The great French convention proclaimed that every disorder of society can be traced to some fundamental neglect, denial, or contempt of human rights. This is true and explains the trouble in our social organism to-day. Under the guise of law we have been denying the true rights of property and of men. When we cease doing this, then justice and law will for the first time mean the same thing, and we will have ushered in the higher civilization of the future.

Mr. ANTHONY. Mr. Chairman, I want to point out to the gentleman from Minnesota [Mr. TAWNEY] one possible misstatement in his remarks to the House, namely, where he says this country has expended for military preparedness over \$2,000,000,000, as I understand it, in the last 10 years.

Mr. TAWNEY. Two billion one hundred and ninety-two million dollars.

Mr. ANTHONY. In military preparedness—preparations for war. I think it should be stated that at least 75 per cent of that amount, or over 75 per cent, has been expended in maintaining our Navy and our standing Army in the actual expense of maintenance of our regular military and naval establishments.

Mr. TAWNEY. Is not that a part of our "preparedness for war?" If it is not, what is it?

Mr. ANTHONY. No, sir. It is a very necessary function of government. We maintain a standing Army and Navy. I call "military preparedness" a surplus of military supplies necessary in a time of war, that we can call on in time of emergency. Our standing Army is perhaps the most expensive for its size on the face of the earth. The American people delight in paying a reasonably large amount for the pay of the men who compose that Army. They want to see them paid exactly in proportion to the wages that are paid Americans in any other pursuit of life, and I think it is a little unfair for the gentleman to charge up all that great amount of \$2,000,000,000, largely expended for the necessary regular maintenance of the military and naval establishments, to what he calls "military preparedness."

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

Clothing, and camp and garrison equipage: For cloth, woollens, materials, and for the manufacture of clothing for the Army, for issue and for sale at cost price according to the Army regulations; for altering and fitting clothing and washing and cleaning, when necessary; for equipage, and for expenses of packing and handling and similar necessities; for a suit of citizen's outer clothing, to cost not exceeding \$10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$4,901,271.67.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I move to strike out the last word. I wish to know of the chairman of the committee why it is that in all of these bills year after year there is a provision indemnifying officers for clothing, bedding, and so forth, and going back to the year 1898. Now, there was a large amount in the last bill, as well as in previous bills, providing that those losses be made good, and I suppose they ought to be cleaned up, but this bill goes back to the same time—1898—for the purpose of making those officers good for loss of that character.

Mr. HULL of Iowa. That is since 1898.

Mr. MICHAEL E. DRISCOLL. Why have you not closed up those accounts of 10 or 12 years' standing?

Mr. HULL of Iowa. I suppose they are all closed up to that time since the first enactment of this provision, but the gentleman may not know, and I do not know, whether there might not be some little claims come in from time to time that the department may pass upon whether right or not. They can not go back of 1898. If there are no claims pending going back of that time, there is no harm done by the language.

Mr. MICHAEL E. DRISCOLL. These appropriation bills year after year provide for making these officers good for loss of that character, and they go back to 1898. It seems to me those former years ought to be closed up.

Mr. HULL of Iowa. Before this was put in there was no limitation; and they could simply make good for any time back.

Mr. MICHAEL E. DRISCOLL. Are they not all settled?

Mr. HULL of Iowa. This is the limitation and they can not go back of that. Before this limitation was put in they went back indefinitely.

Mr. GOULDEN. Can the chairman of the committee tell us what amount of clothing will be destroyed?

Mr. HULL of Iowa. It is a small amount when it is a case of destroying it in the service. They destroyed some a few years ago in Manila when there was an epidemic; they took all the clothing and burned it. Usually it amounts to a small sum. If we do not make some provision for the department to adjudicate it, it goes to the Court of Claims or comes here in the form of special bills.

Mr. MANN. Mr. Chairman, I renew the motion to strike out the last word; to ask briefly whether all the amount asked for in this bill is going to be sufficient.

Mr. HULL of Iowa. It is a very large reduction. I will say to the gentleman it will cut off an accumulation of what is called "reserve clothing," and the Quartermaster General thinks they will not specially need that reserve increased as rapidly as it has been in the past. It will prevent the accumulation of the reserve to a very large extent.

Mr. MANN. Will this draw on the reserve?

Mr. HULL of Iowa. No; I think not. My understanding from the Quartermaster General is that it leaves the reserve intact without, as we have been doing for a few years, giving them an increase in reserve.

The Clerk read as follows:

Shooting galleries and ranges: For shelter, shooting galleries, ranges for small-arms target practice, repairs, and expenses incident thereto, such ranges and galleries to be open, as far as practicable, to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, \$125,985.01.

Mr. MANN. I move to strike out the last three words of the paragraph.

Mr. HULL of Iowa. Well, that is a question of bookkeeping. I suppose they have figured out exactly what the cost of this was.

Mr. MANN. Carrying that 1 cent on the books will cost many times 1 cent.

Mr. HULL of Iowa. I have no objection to the amendment. It is only a question of bookkeeping, and we let them determine it.

Mr. MANN. If this was paying a fixed amount it would be different, but the idea of appropriating a hundred thousand dollars and 1 cent—

Mr. MICHAEL E. DRISCOLL. Will the gentleman pay the 1 cent?

Mr. MANN. I will be very glad to pay it, so as to take it off, because it will cost a great deal more to carry it on the books than to take it off.

Mr. HULL of Iowa. I have no objection.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Care of insane soldiers, Porto Rico Regiment of Infantry: For the care, maintenance, and treatment at asylums in Porto Rico of insane soldiers of the Porto Rico Regiment of Infantry, \$720.

Mr. MICHAEL E. DRISCOLL. Reserving the point of order on this paragraph, I would like to know why this provision is made now and has never been made before for insane soldiers.

Mr. HULL of Iowa. Because the necessity has become more imperative. The department regarded this as the best way of caring for them. They have been cared for in some way there. I suppose under the law they could be sent to St. Elizabeth's, in the District of Columbia.

Mr. MICHAEL E. DRISCOLL. How are they taken care of now?

Mr. HULL of Iowa. They have been taken care of there in some way, but not as fully as they can be under this provision.

Mr. MICHAEL E. DRISCOLL. Are these all American soldiers?

Mr. HULL of Iowa. No; they are all Porto Ricans. They are natives and serve on the islands. There ought to be some proper method of caring for the insane. I understand they are taken care of in some way now.

Mr. MICHAEL E. DRISCOLL. I withdraw the point of order.

The Clerk read as follows:

Engineer Department, engineer depots: For incidental expenses for the depots, including fuel, lights, chemicals, stationery, hardware, machinery, pay of civilian clerks, mechanics, and laborers, extra-duty pay to soldiers necessarily employed for periods not less than 10 days as artificers on work in addition to and not strictly in the line of their military duties, such as carpenters, blacksmiths, draftsmen, printers, lithographers, photographers, engine drivers, telegraph operators, teamsters, wheelwrights, masons, machinists, painters, overseers, laborers; for lumber and materials and for labor for packing and crating engineer supplies; repairs of, and for materials to repair, public buildings, machinery, and unforeseen expenses, \$20,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph for the purpose of inquiring how they have been heretofore packing and crating engineers' supplies.

Mr. HULL of Iowa. They have been doing the work and think there ought to be absolute authority.

Mr. MANN. There has been no ruling against it?

Mr. HULL of Iowa. No; but they are afraid of it and think it would be better to have absolute authority for it.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

Engineer School, Washington, D. C.: Equipment and maintenance of the Engineer School at Washington Barracks, D. C., including purchase of instruments, machinery, implements, models, and materials for the use of the school and for instruction of engineer troops in their special duties as sappers and miners; for land mining, pontooning, and signaling; for purchase and binding of professional works and periodicals of recent date treating of military and civil engineering and kindred scientific subjects for the library of the United States Engineer School; for incidental expenses of the school, including fuel, lights, chemicals, stationery, hardware, machinery, and boats; for pay of civilian clerks, draftsmen, electricians, mechanics, and laborers; compensation of civilian lecturers and payment of tuition fees of student officers at civil technical institutions; for extra-duty pay to soldiers necessarily employed for periods not less than 10 days as artificers on work in addition to and not strictly in the line of their military duties, such as carpenters, blacksmiths, draftsmen, printers, lithographers, photographers, engine drivers, telegraph operators, telephone operators, teamsters, wheelwrights, masons, machinists, painters, overseers, laborers; for repairs of, and materials to repair, public buildings and machinery; for unforeseen expenses; for travel expenses of officers on journeys approved by the Secretary of War and made for the purpose of instruction: *Provided*, That the traveling expenses herein provided for shall be in lieu of mileage and other allowances; and to provide means for the theoretical and practical instruction at the Engineer School by the purchase of textbooks, books of reference, scientific and professional papers, and for other absolutely necessary expenses, \$25,000.

Mr. MANN. I reserve the point of order on that paragraph. I think the gentleman from Iowa the other day made some statement with reference to the item for compensation of civilian lecturers and the education fees for student officers at civilian institutions. It was not a full statement. These are two propositions.

Mr. HULL of Iowa. Yes.

Mr. MANN. What civilian lecturers do they have now, and does that include all these military schools?

Mr. HULL of Iowa. No; just this school. This is a school, I will say to the gentleman, simply for engineers.

Mr. MANN. This is the engineer school?

Mr. HULL of Iowa. This is simply the engineer school. I will say to the gentleman that they have sent officers to Cornell, and there is no other way in which their tuition can be paid unless the individual officer pays it himself.

Mr. MANN. They get nothing but tuition?

Mr. HULL of Iowa. It is more economical to send a few officers to Cornell than to enlarge the scope of the Engineer School here. If the gentleman will permit as brief an explanation as I can give, I will say that this is a highly technical school. The education of the officers at West Point does not broaden them out, so far as full instruction is concerned, and they send the best of them to some of the best civilian schools in the United States, and they return better qualified for their work. Many of the officers have gone there and paid their own expenses, which, of course, is their tuition, because they have their other allowances. The tuition costs \$250 each.

Mr. MANN. Now, let us understand. Cornell School is one of the State universities, supported in part by contribution made by the General Government requiring the maintenance of a military branch in that school?

Mr. HULL of Iowa. It is not in the military branch.

Mr. MANN. It is not in the military branch.

Mr. HULL of Iowa. It has a military branch, but their instructions there are rather in the technical branches.

Mr. MANN. Then Cornell makes the General Government pay for this special course, does it? I think it would have been a very wise thing in sending to such a school as a State university to have required it to have furnished the tuition free under these circumstances. We are paying them \$50,000 for an experimental purpose, not counting the enormous sum that they got in the first instance. Of course that is no reason for striking out the item. I realize that.

Mr. HULL of Iowa. They claim that it is of great benefit; that these officers come back much more competent to give instruction on lines that the regular military course did not qualify them to instruct in, and I think it is money well spent, and I do not believe it is fair for the officer to have to pay it.

Mr. MANN. I agree with the gentleman about that. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Engineer equipment of troops: For pontoon material, tools, instruments, and supplies required for use in the engineer equipment of troops, including the purchase and preparation of engineer manuals, \$75,000.

Mr. ESCH. I move to strike out the last word for the purpose of eliciting some information from the chairman of the committee. In the discussion of the urgent deficiency bill prior to the holiday recess, the gentleman from Illinois [Mr. MANN] stated that there was some condemned clothing and Army equipment sold at Chicago, and made inquiry as to the reason for such sales, and no information was elicited at that time. I noticed the other day that there was an order issued on the recommendation of the Chief of Staff, changing the uniform, discarding the khaki trousers and the olive-drab uniform in part. I want to know whether there is any relation of cause and effect between such sales as were specified by the gentleman from Illinois and such Executive orders changing the character, style or mode of uniforms, or other military equipments.

Mr. HULL of Iowa. I hardly think so. I spoke to the Quartermaster General about the item that the gentleman referred to; but I have forgotten his explanation. I will say this, however, that the Quartermaster's Department and a great many officers of the Army would be delighted if Congress would take up this question of change of uniform and prescribe a uniform and not permit it to be changed except by Congress; and his suggestion was that the gray was a great deal better color than the other. As it is now they change uniforms quite often. A new man comes in and orders a change. They try to work up all the old material, they do not buy any more of it; but it undoubtedly does cost the Government more money, because, as they get toward the last end of it, they condemn it and sell what is left.

Mr. ESCH. Suppose an Executive order is made changing a uniform, is that made to go into operation a sufficient length of time in the future to permit them practically to exhaust the supply?

Mr. HULL of Iowa. They try, practically, to exhaust what is on hand, but when it gets down toward the last, when there are only a few of the uniforms left, they are condemned and sold, according to my understanding. I have no special information, and I have often felt that we ought to take action to prevent a change of uniform unless Congress gives permission.

Mr. ESCH. I am inclined to agree with the gentleman on that proposition.

Mr. HULL of Iowa. In other words, general officers go to Europe and see the great reviews there. Then they put on more gold lace, or change the character of the cap or the cut

of the coat, and entail a great deal of expense on the officers, more especially than the men, and I have had officers say they wished Congress would do as I suggest; but I have found that when you undertake to prescribe certain things by act of Congress they will say, "The department knows more about it than you do," and so I have hesitated to undertake it. It is a hard proposition to regulate by law.

Mr. MANN. It is not very easy to prescribe by act of Congress the amount of gold lace to be put upon a uniform.

Mr. HULL of Iowa. No; but we could by a very simple proposition say that they shall not change a uniform except by permission of Congress.

Mr. MANN. And then we might find in time of war that it was absolutely necessary to make a change before Congress could act.

Mr. HULL of Iowa. That is the trouble you run into about all these things, of fixing everything by law.

Mr. MANN. Now, referring to the suggestion of the gentleman from Wisconsin [Mr. Esch], I noticed a small advertisement the other day of some house in New York—I wish I had it here to insert in the RECORD—which claimed to send a catalogue of Army goods for sale to be purchased at second hand, and it purported to be a large house. Now, I am quite sure that the Quartermaster's Department does not sell anything of that sort except in accordance with the law; but if these goods are bought by the Government and some change is made, and then they are ordered sold, it helps to account for the enormous expenditure of this Government in maintaining its Army, as compared with other governments in maintaining their armies.

The Clerk read as follows:

Hereafter whenever pressing obligations are required to be paid by a disbursing officer of the Engineer Department and there is an insufficient balance to his official credit under the proper appropriation or appropriations for the purpose, he is authorized to make payment from the total available balance to his official credit, provided sufficient funds under the proper appropriation or appropriations have been allotted by the Chief of Engineers for the expenditure. When such disbursements are made the accounts of the disbursing officer shall show the charging of the proper appropriations, the balances under which will be adjusted by the disbursing officer on receipt of funds or by the accounting officers of the Treasury.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I hope the chairman of the committee will be able to tell us what it means. I have read it over several times, and I can not tell what it means.

Mr. HULL of Iowa. The gentleman from Minnesota is very familiar with it, and I will yield to him.

Mr. STEVENS of Minnesota. Mr. Chairman, I will be pleased to inform the committee what little I know about it, and perhaps it may be explained as easily as any way by giving some concrete incidents which have occurred. In the fall of 1907 it will be remembered that there was a money panic and the banks refused to pay any large checks. At that time the various engineer offices of the United States—at Boston, at St. Paul, and doubtless in other places—would have to their credit perhaps a dozen or more separate funds provided by separate appropriations and allotments for some particular work. In possibly eight or ten there might be balances to their credit, and while as to some of the funds there would be no balances of any amount to their credit, yet indebtedness had been incurred in carrying on the work of such appropriation which would more than use the money then in the hands of the disbursing officer and need additional funds for their settlement. The engineer officer would make the usual requisition for such funds to meet the expenses already incurred, and usually such drafts would be honored in due season for usual payments. But in 1907 the Treasury declined to issue the warrants, for one reason or another. The engineer officers had plenty of money in the local banks belonging to other funds and there were ample appropriations by Congress to pay for the particular work done, and the War Department had made the allotment to pay all expenses incurred. Yet for one reason or another no money was available in the hands of the disbursing officer to pay the existing debts chargeable to such appropriation and project, while there was an abundance of money to the credit of other funds, but which could not be used to pay the debts of the delinquent fund.

For example, in the engineer office in St. Paul there was a deficiency in the fund for the improvement of the Mississippi River.

The United States had purchased quite a large amount of material, such as stone, brush, and material of that kind, and there had been hired quite a large number of men. There was no deficiency in the appropriation, but, on the contrary, a large unexpended sum and due allotments for all such debts had been made. But at that particular time this particular fund had

been so depleted as to make it impossible for the engineer at St. Paul to pay the debts accruing on the 1st day of November. He drew on the Treasurer through the usual avenues, and the Treasurer declined to issue the warrant. He had ample money, \$40,000 or \$50,000, in the St. Paul banks to the credit of other items of appropriation, but he could not use it to pay the debt to these material men, to these men for their labor, and this caused a great deal of suffering at the beginning of a northern winter. Now, if this provision had been in force, the local engineer could have wired to the Chief of Engineers the facts, the Secretary of War could make the necessary allotment from the current appropriation to pay for this particular work, and then these other funds then in the hands of the local engineer could be used to pay these past-due debts and these borrowed funds would be repaid from the allotment thus made when it should be received.

Mr. MANN. Why did the Government refuse to issue the warrant?

Mr. STEVENS of Minnesota. Well, the gentleman understands how the thing worked in 1907.

Mr. MANN. The banks did the same thing.

Mr. STEVENS of Minnesota. The banks took care of these matters as they had to. They would have properly called for checks drawn upon accounts in their banks. Now, all that this item does is to give in a case of that kind where an appropriation is made and an allotment is made by the proper officers of the War Department to cover that specific work; in these cases the War Department may authorize other money that is available at that time in the hands of the local officials to be applied temporarily for the purpose of paying the indebtedness already incurred. Remember, the transfer is to be only temporary and be at once repaid to the borrowed fund from an allotment previously made from a current appropriation.

No deficiency is permitted here either in the allotment or the appropriation. All it does is to authorize a temporary transfer of funds for a certain specific purpose ordered by law to be paid back in either one of two ways; either by specific funds when received from the previous allotment or by the accounting officer making the entries and transfers on the books.

Mr. HULL of Iowa. Does it not obviate carrying such large balances away from the Treasury?

Mr. STEVENS of Minnesota. Yes; it would save carrying large balances in the field. For instance, the engineer officer at Puget Sound could then carry a balance not more than half as large as must be required now, because the balance in one fund could be used to pay a deficiency in the other before the funds from a distance could be received.

There would be no danger in the matter if safeguarded as provided by this paragraph. In effect it makes the balances in the hands of the disbursing officers one fund to pay for any legal indebtedness already incurred after two things exist, first, an appropriation and direction therefor, and, second, an allotment from such appropriations for this particular work. In such a case the balances could be kept at the minimum, and the money now needed for the many accounts in the field could be largely kept in the Treasury, where it could be used to better advantage. It would be a matter of safety for the Government and a matter of protection as well as economy to the Government in paying these bills promptly.

The CHAIRMAN. The time of the gentleman has expired.

[By unanimous consent, on request of Mr. MANN, the gentleman's time was extended for five minutes.]

Mr. MANN. Mr. Chairman, I would like to know, either from the gentleman from Minnesota [Mr. STEVENS] or from the gentleman from Iowa [Mr. HULL], how they figure out this will save carrying balances when it expressly provides for payment of pressing obligations. No one can tell in advance whether there are to be pressing obligations.

Mr. STEVENS of Minnesota. Oh, they can tell that.

Mr. MANN. How? If they know in advance they are pressing obligations, there is no difficulty in having the balances there to meet them.

Mr. STEVENS of Minnesota. But there have been difficulties in the past. For example, an allotment is made of \$50,000 for the improvement of the Mississippi River at St. Louis. The \$50,000 may not be sent there at that time for one reason or another, and yet the debts are due, the creditors ought to have their money, an appropriation and allotment for it has been made, and yet it is not there, while ample funds are in other accounts which are not in use and could be drawn upon just as well as not.

Mr. MANN. But if there are pressing obligations, there is no reason why it should not be sent there, if they know in advance they are going to be pressing obligations.

Mr. STEVENS of Minnesota. But the condition of the Treasury may be such that it would be to an advantage for the Treasury Department to retain such a large portion of its funds in the Treasury instead of sending them to St. Louis to be retained in local banks and not used for a long time.

Mr. MANN. If the Military Committee is endeavoring to relieve the Ways and Means Committee and the Committee on Appropriations with reference to the Treasury, that is one thing, but I apprehend that is not the reason.

Mr. STEVENS of Minnesota. This is an item that has been before the Committee on Military Affairs for several years. It should have been placed, as it seems to me, in the river and harbor bill, because it concerns river and harbor work principally.

The object is, as I said, to do two or three things—to enable bills to be paid promptly when the money is in the hands of the engineer by making all funds temporarily one fund when the conditions are properly safeguarded; and, secondly, to enable that minimum balances may be retained in the field. The provision has been safely guarded by those who drafted it.

Mr. MANN. Who drafted the provision?

Mr. STEVENS of Minnesota. It was drafted in the office of the Chief of Engineers.

Mr. MANN. Mr. Chairman, I have no doubt at all that the explanation of my friend is lucid, because I never knew him to make a statement that was not lucid, although I will admit that I can not understand this item. However, not understanding it, I am not going to stand in the way of it, and I therefore withdraw the point of order, although I think they will find it will make trouble in the end.

Mr. STEVENS of Minnesota. Mr. Chairman, I will state another reason for this. It enables the Government to pay quickly. On that account the Government can do business and hire labor and buy materials to better advantage. There have been times in the past when these bills have not been promptly paid, when materials could not be furnished and purchased to as good advantage as if the supply men knew they would get their money when the bills were due, and this is one of the reasons why it is of advantage to the Government.

Mr. MANN. The gentleman from Minnesota knows perfectly well that if such a thing occurs it is somebody's serious neglect. There is no reason in the world why the money should not be on hand to pay the men or for materials. The case of 1907 was a little different, but the main difficulty then was not getting money out of the Treasury, but in getting banks to cash the drafts or warrants. There is no difficulty in getting money at Chicago, because there the money is kept in the subtreasury.

Mr. STEVENS of Minnesota. I beg the gentleman's pardon; but it required the united efforts of my colleague from Minnesota [Mr. TAWNEY] and myself to get money from the Treasury to St. Paul to pay the pressing obligations due to laborers and material men there at that time.

Mr. MANN. To get it from the Treasury here?

Mr. STEVENS of Minnesota. To get it out into the field to pay honest debts when the money had been already appropriated and allotted, and yet that particular fund was deficient and other funds were amply supplied where the money was not needed.

Mr. MANN. Very likely that was sent out there by express because you could not get it through the banks, but you would have had no trouble in getting a warrant if you could have got the money paid in the bank.

Mr. STEVENS of Minnesota. No; we could not get the warrant.

Mr. MANN. You could not, because the Government knew the banks would not pay it.

Mr. HULL of Iowa. Mr. Chairman, in order that the matter may be more clearly presented to the House, for the benefit of the House I desire to put in the RECORD, from page 307 of the hearings, Col. Burr's statement:

The CHAIRMAN. It would not permit you to take an unexpended balance from one fund and apply it to another?

Col. BURR. No, sir. It is simply a matter of bookkeeping. There is difficulty in keeping down the balances to the credit of disbursing officers in the depositories and subtreasuries. To meet the liabilities a disbursing officer has he must keep some balance under every item of his accounts. We are required to meet liabilities promptly. It takes 30 days to get funds from the Treasury, and funds from the Treasury coming in in 30 days on a regular monthly requisition have to last 30 days longer. In other words, the disbursing officer has to foresee his disbursing needs for 60 days in advance. With the best intentions it is not possible to do this accurately. There is always a tendency to make ample requisitions for funds so that the officer will be able to meet for 60 days in advance liabilities due to creditors of the United States; and he has to have these funds in every specific item of appropriation that he is disbursing. These items number from 10 to 15 or 20 or more appropriations in some offices.

I think that explains the thing, to my mind, at least, very clearly.

The Clerk read as follows:

Manufacture of arms: For manufacturing, repairing, procuring, and issuing arms at the national armories, \$750,000.

Provided, That whenever in his opinion a sufficient number of automatic pistols of the standard service type, holsters, and pistol-cartridge boxes therefor, shall have been procured and be available for the purpose, the Secretary of War is hereby authorized to issue, on the requisition of the governors of the several States and Territories, or of the commanding general of the Militia of the District of Columbia, such number of standard pistols, holsters, and pistol-cartridge boxes therefor as are required for arming all of the Organized Militia in said States, Territories, and the District of Columbia, without charging the cost or value thereof, or any expense connected therewith, against the allotment to said State, Territory, or District of Columbia, out of the annual appropriation provided by section 1661 of the Revised Statutes, as amended, or requiring payment therefor, and to exchange, without receiving any money credit therefor, ammunition, or parts thereof, suitable to the new standard pistol, round for round, for corresponding ammunition suitable to the old revolver theretofore issued to said States, Territory, or District by the United States: Provided, That the said standard pistols, holsters, and pistol-cartridge boxes therefor shall be received for and shall remain the property of the United States and be annually accounted for by the governors of the States and Territories and the commanding general of the Militia of the District of Columbia as now required by law, and that each State, Territory, and District shall, on receipt of the new pistols, holsters, and pistol-cartridge boxes, and ammunition, turn into the Ordnance Department of the United States Army, without receiving any money credit therefor and without expense for transportation, all United States revolvers and ammunition therefor, holsters, and revolver-cartridge boxes now in its possession.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I reserve the point of order against that paragraph, and wish to have the chairman of the committee explain it and state on whose recommendation this paragraph was introduced.

Mr. HULL of Iowa. It was recommended by the War Department.

Mr. MICHAEL E. DRISCOLL. At the request of the Organized Militia?

Mr. HULL of Iowa. Oh, yes. Mr. Chairman, I desire to say to the gentleman that a few years ago we made a very great increase in the value of the carbine—the gun. The militia had already purchased from the Government out of its allotment to the different States the gun the Government was then using. When the Government discredited that gun we passed a provision almost identical to this, except in the place of pistols it was a gun, and we provided for rearming the militia with the latest improved weapon. Now, it would not be fair for the Government to change and require them to purchase out of their allotment that the Government makes to the different States and Territories another gun that the Government gives for the purpose of rearming the militia. This is simply because the new pistol is a great improvement along that line, and it is to arm the militia with the latest improved model that will be used in the Regular Army.

Mr. MICHAEL E. DRISCOLL. May I ask the gentleman what it will cost to make this change?

Mr. HULL of Iowa. The Ordnance Department estimated \$400,000.

Mr. MICHAEL E. DRISCOLL. I ask this for the reason now that the militia are asking Congress to pay them wages and pay officers' salaries, and I want to know how much the General Government is now appropriating all told for the maintenance and support of the militia—the National Guard.

Mr. HULL of Iowa. Four million dollars a year.

Mr. MICHAEL E. DRISCOLL. This is in addition to that?

Mr. HULL of Iowa. The original arms came out of the original allotment in the years when they had it.

Mr. MICHAEL E. DRISCOLL. This is really an extra, because it is not charged to the allotment?

Mr. HULL of Iowa. It is not charged to the allotment.

Mr. MICHAEL E. DRISCOLL. So it is about \$400,000 extra.

Mr. HULL of Iowa. The way we had it submitted to us by the department is the same language it was submitted to us for the exchange of guns, and Gen. Crozier stated there was about \$400,000 needed, but we put the limit on this of \$300,000, believing that would do it, and it is simply in line of keeping the militia fully equipped with the gun that will be used in time of war, whether it is a pistol, rifle, or field gun.

Mr. MICHAEL E. DRISCOLL. I do not object to it at all; but I wanted to know how much it would cost the Government, because they are demanding compensation now—

Mr. HULL of Iowa. And I am not in favor of it unless the character of the service is changed.

Mr. MICHAEL E. DRISCOLL. And I wanted to know how much it would cost the Government.

Mr. HULL of Iowa. They have an annual permanent appropriation of \$4,000,000 a year.

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve the point of order that I may ask the gentleman whether it is not

possible that some of these arms, revolvers, and so forth, which come back to the United States do not go into the possession, ultimately, of belligerent countries to the south of us and thus cause us a great deal of trouble.

Mr. HULL of Iowa. Well, Mr. Chairman, I assume they come back and are condemned as obsolete and are sold to the highest bidder.

Mr. MOORE of Pennsylvania. It was drawn to my attention some time ago—

Mr. HULL of Iowa. I do not know how you would put a limit on it. An individual has a right to buy and sell to any country that wants to buy—

Mr. MOORE of Pennsylvania. They are sold and to be sold.

Mr. HULL of Iowa. Yes.

Mr. MOORE of Pennsylvania. It was called to my attention during the Cuban insurrection that many of the condemned arms of the United States had fallen into the hands of belligerents—

Mr. HULL of Iowa. And a great many condemned arms of Germany found their way into Cuba.

Mr. MOORE of Pennsylvania. The gentleman knows of no way to cure that?

Mr. HULL of Iowa. I do not know of any way to limit the right of a man to sell to Cuba if Cuba wanted to buy.

Mr. MOORE of Pennsylvania. The Government might destroy these arms, it occurs to me.

Mr. HULL of Iowa. It occurs to me that if the Government could get anything for them it should get it.

Mr. MOORE of Pennsylvania. Even if it be the means of supplying arms for an insurrection?

Mr. HULL of Iowa. The gentleman, I think, will concede this; that it does not protect the Government to say it will not sell these guns here, when England or Germany is willing to sell them. You can not limit them and protect our people.

If Cuba or any other government wants to buy, our refusing to sell will not prevent them from buying from some other country. If they buy our discarded arms, we are safer by having a superior weapon than we would be if they went elsewhere and bought the best; and, then, how are you going to avoid having anybody buy what they want if they have the money and somebody has the articles to sell? My judgment is that it is a matter of safety for us for them to buy our obsolete guns instead of buying modern, up-to-date ones.

Mr. MOORE of Pennsylvania. I wanted to find out whether the gentleman and his committee had given consideration to the matter of destroying such worthless guns as come back to us after this exchange is made.

Mr. HULL of Iowa. They are worth something to us. We issue them now to certain kinds of clubs. They are not up to the modern service rifle. Where they are condemned they are sold, and whoever bids the most for them gets them.

Mr. MOORE of Pennsylvania. It would seem to be an anomalous condition for the United States to sell condemned arms to belligerent countries and then send our battleships to maintain order.

Mr. HULL of Iowa. But the gentleman would not accomplish what he wants. They would arm themselves with some other guns probably better than they would get from us.

Mr. MOORE of Pennsylvania. Then we would not be contributing to the disorder.

Mr. HULL of Iowa. We are not contributing, anyhow, and there is no dishonor in it.

Mr. MANN. Mr. Chairman, I would like to ask if this item is connected with the manufacture of arms in that appropriation of \$750,000.

Mr. HULL of Iowa. Yes; and whatever it costs to rearm the militia goes back to the department for manufacture of guns to take the place of ones issued.

Mr. MANN. Then the form ought to be changed and a colon inserted.

Mr. MOORE of Pennsylvania. Mr. Chairman, I withdraw the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the period at the end of line 21 and insert a colon.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the period at the end of line 21, page 48, and insert a colon.

The amendment was agreed to.

Mr. MANN. There does not want to be a paragraph there, either.

Mr. HULL of Iowa. It just wants to be a proviso. The Clerk read as follows:

To provide means to carry into effect the foregoing provisions, the necessary money, not to exceed \$300,000, to recover the cost of exchanging or issuing the new pistols, ammunition therefor, holsters, and pistol-cartridge boxes to be exchanged or issued hereunder, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

Mr. MANN. Mr. Chairman, they use the term "recover" here—a technical term—but I am not sure whether it belongs there or not.

Mr. HULL of Iowa. The Chief of Ordnance thought it did. It has been used in all the other acts, and it means to recover for this fund the cost of this exchange.

Mr. MANN. If it is inserted there intentionally, it is all right.

Mr. HULL of Iowa. It was, by the Ordnance Department.

Mr. MANN. "To cover" would be right.

Mr. HULL of Iowa. That is what I thought, but this language was agreed upon.

Mr. MANN. If it is going to be placed back into another fund, it would be all right.

The Clerk read as follows:

National trophy and medals for rifle contests: That for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed under the direction of the Secretary of War, \$10,000.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I reserve a point of order against the words "members of rifle clubs and civilians," line 25, page 50. I do not see any good reason for mixing up civilian clubs with these military organizations.

Mr. HULL of Iowa. They have had civilian clubs there, but they can not get a trophy even when they succeed in winning it. The department and the National Guard are very urgent that they stimulate rifle practice in the United States by having civilians contest for the trophies. It does not increase the amount appropriated, but it puts the Army and Navy and Marine Corps on their mettle against civilians. The civilians keep up the practice largely at their own expense. This stimulates rifle practice in the United States. The time has come in this country when those who are charged with the duty of investigating these questions, like Gen. Bates and others, believe that anything that will induce our people to become expert in the use of the rifle is of great benefit to the United States in time of actual hostilities. And, as originally submitted to the committee by the War Department, it provided a great deal more than this, that the committee was not willing to accept. In other words, all expenses heretofore or hereafter incurred by the civilians were recommended to be paid. We struck that out. In place of paying any part of their expenses we confine it to the possibility of their winning a trophy that is provided by the Government to be shot off by the arms of the Government, the National Guard, and the Organized Militia, and let men compete as they have heretofore for it, and allow them to receive a trophy if they win, something they have not been heretofore able to do.

The National Guard is unanimously for it; the War Department recommends it; and adopted as we have it, it will cost the Government nothing more. It seems to me a good provision.

Mr. MICHAEL E. DRISCOLL. As I understand it, any man who is a member of any rifle club and can shoot may get this trophy?

Mr. HULL of Iowa. Not any man. They allow certain civilian clubs to be recognized, the Government allowing them to purchase United States rifles. The board make all the regulations.

Mr. MICHAEL E. DRISCOLL. These rifle clubs are civilian. I do not see anything to exclude any civilian.

Mr. MANN. No man allowed to compete gets anything by it.

Mr. HULL of Iowa. That is all there is to it.

Mr. MICHAEL E. DRISCOLL. I do not think anybody ought to be allowed to compete that is under no obligations to the Government.

Mr. HULL of Iowa. The militia board, the Army and Navy boards, have adopted the rule under which this is competed for, and all the boards ask for this legislation.

Mr. MANN. This does not authorize payment for a trophy for members of a rifle club, except as they participate in the

competition. I think what you want is to have a little competition, so that the Army and Navy, and so forth, will see that if they are going to win this they ought to be able to shoot a gun well.

Mr. HULL of Iowa. It is going to cost just the same, and we ought to have it.

Mr. MICHAEL E. DRISCOLL. I do not see any reason why individual clubs of this kind should go in and compete and take prizes without putting themselves under any obligation to the Government, either as members of the National Guard or any militia organization. They assume no obligation, but simply seek to have the benefits of this decoration, if they happen to be good marksmen; but I will not put my judgment against that of the War Department. Does the militia want it also?

Mr. HULL of Iowa. Oh, yes.

Mr. MICHAEL E. DRISCOLL. And the War Department?

Mr. HULL of Iowa. Oh, yes.

Mr. MICHAEL E. DRISCOLL. I withdraw the point of order.

Mr. HULL of Iowa. All branches of the service want it.

The Clerk read as follows:

Automatic rifles: For the purchase, manufacture, and test of automatic rifles, including their sights and equipments, to be available until the close of the fiscal year ending June 30, 1912, \$200,000.

Mr. HULL of Iowa. I move to strike out the word "twelve" and insert "thirteen," in line 9.

The Clerk read as follows:

Strike out "12" and insert "13," in line 9.

Mr. HULL of Iowa. Gen. Crozier says it will be impossible to expend it, because it takes a longer time to make these experiments.

The CHAIRMAN. Without objection, the amendment will be agreed to.

The amendment was agreed to.

The Clerk read as follows:

Field Artillery for Organized Militia: For the purpose of procuring Field Artillery material for the Organized Militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the Militia of the District of Columbia, to issue said artillery material to the Organized Militia; and the sum of \$770,000 is hereby appropriated and made immediately available until expended for the procurement and issue of the articles constituting the same, \$770,000.

Mr. MICHAEL E. DRISCOLL. I reserve the point of order against this paragraph. It is new, and I would like to have the gentleman explain why it is put in.

Mr. HULL of Iowa. Mr. Chairman, this is what the War Department recommends. It is not new. It was not in last year, but some years ago the question of providing artillery for the militia was taken up and was carried on until the militia as then constituted was supposed to be provided for. Now, however, new arms are being adopted and this is for carrying on the work that Congress has repeatedly done heretofore.

Mr. MICHAEL E. DRISCOLL. The other appropriations related to the guns?

Mr. HULL of Iowa. Oh, certainly. These guns belong to the United States. It is reserve munitions of war. It takes considerably more than a year to manufacture these guns. Because there has been some erroneous impression going out concerning these guns, I would like to have the Clerk read this letter of Gen. Crozier to me in answer to an inquiry about these guns.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, January 10, 1911.

Sir: In answer to your verbal request, I have the honor to submit hereinafter further explanation of the supplemental estimate of \$770,000, under the appropriation "Field Artillery for the Organized Militia," forwarded to the honorable the Secretary of War with my letter dated December 8, 1910.

It will be noted that the funds estimated for are intended to procure three 4.7-inch howitzer batteries and two 6-inch howitzer batteries, complete, with tools, accessories, spare parts, fire-control instruments, horse equipments, personal equipments, etc. Previous appropriations under this heading have provided for fifty 3-inch field-gun batteries, complete, which have been procured and nearly all of which have been issued to the militia.

It may be stated that the present military plans of all countries include field artillery of two classes as regards caliber and mobility, and also two classes as regards the type of arm used, viz, the gun, which is normally intended to have a muzzle velocity of approximately 1,700 feet per second and is for fire at elevations usually not exceeding 15°, and the howitzer, which is shorter and lighter than the gun of the same caliber, has a muzzle velocity of approximately 900 feet per second, and is intended for fire at angles of elevation from 0° to 40° or greater. For equipment having equal weights behind teams consisting of the same number of horses, the howitzer projectile, due to the lower velocity, is approximately twice as heavy and of considerable larger caliber than

the gun projectile. In our service the largest caliber fieldpiece is the 6-inch howitzer, firing a projectile weighing 120 pounds and giving a weight of 1,000 pounds in traction behind each of eight horses.

The next smaller caliber is the 4.7-inch, which, in the gun type, gives the same weight behind each horse for the same number of horses as the 6-inch howitzer, and, for the howitzer type, gives a weight of 800 pounds behind each of the six horses. The weight behind each of six horses with the 3-inch gun material is between 650 and 700 pounds. All of the types mentioned above are designed exclusively for the use of a mobile army, none of them requires any kind of a prepared platform for firing, they are all fired and served in essentially the same manner, and they can all travel with Infantry in campaign; consequently, they are all properly included in Field Artillery. All modern wars have shown the necessity for a limited number of the heaviest pieces that can travel with a mobile army in the field, and this condition is met in practically all services by the 6-inch howitzer, which fires a heavy projectile carrying very large charges of high explosives and which is effective against semipermanent works, both on account of the amount of explosive and the comparatively great angle of fall. In general, guns are most effective against troops in the open or poorly protected, whereas howitzers are most effective against troops that are well entrenched. Both types are essential.

The most important and generally useful Field Artillery piece is a gun of approximately 3-inch caliber, since it is able to keep up, even on forced marches, not only with Infantry, but also with Cavalry, and since it is both powerful and effective. An arm of this general type forms by far the most numerous and the most important Field Artillery equipment of all modern armies, but it must be supplemented by a smaller number of heavier calibers. The estimates of this department contemplate eventually procuring 195 batteries, or a total of 780 guns and howitzers, of 3-inch caliber, and 105 batteries, or a total of 420 guns and howitzers, of large caliber, for the mobile army. The militia has already been provided with 50 batteries, or 200 guns, of 3-inch caliber, which are of the most modern type and which are the most important of all. No guns or howitzers of heavier caliber have been provided for the militia, and it is therefore contemplated, if the appropriation referred to above be made, to furnish them three 4.7-inch howitzer batteries and two 6-inch howitzer batteries—not to supersede the 3-inch, but in addition thereto.

Respectfully,

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
House of Representatives, Washington, D. C.

Mr. TILSON. Mr. Chairman, I doubt if this paragraph is subject to a point of order; but even if it were, it seems to me that the importance of it is such that the point of order should be withdrawn.

We have heard much in an earlier discussion to-day in regard to preparedness for war. In our enthusiasm, while listening to these patriotic utterances, we have grown brave, and no doubt all of us feel that we could safely discard most of our present preparations for war and go out and whip almost any country without them. It seems to me, however, that we should come down to earth again, look cold facts in the face, and go along the even tenor of our way in making such appropriations as may be necessary and proper for military purposes.

We frequently hear from well-informed people, and even on the floor of this House, sneering references to the large appropriations for wars, past and future. Varying figures are given showing the proportion of the appropriations for these purposes to the total expenditures of the Government, running as high as 73 per cent. Just a few days ago this House added to the percentage by passing, under suspension of the rules and by a very large majority, a bill generally increasing pensions and augmenting the pension rolls by more than \$40,000,000 per annum. The wars of the past have cost much and are still costing very large sums in claims growing out of war and in pensions "for him who has borne the battle and for his widow and orphans." There is no denying the fact that the expense of maintaining the Army and the Navy is very large.

Mr. GOULDEN. I know the gentleman desires to be entirely fair, as he always is, but in his statement about the amount appropriated the other day, \$40,000,000 annually, I think he should have said that that amount will decrease from year to year, owing to the large death rate among the old soldiers. The gentleman's statement might create the impression that the charge upon the Treasury would be \$40,000,000 annually for years to come, and I know he does not wish that impression to go out to the country.

Mr. TILSON. I am very glad to be corrected if I am wrong. As I remember the report on that bill, it stated that it added \$45,000,000 to the pension roll. In order to be conservative I made it \$40,000,000.

Mr. GOULDEN. That will be the first year, but there are 36,000 deaths now annually among the veterans of the Civil War, and will be 40,000 deaths next year and very likely 50,000 deaths five years from this time, and so on, so that the amount will decrease very rapidly from year to year.

Mr. TILSON. I am not complaining at all of pensions for the old soldiers.

Mr. GOULDEN. Of that fact I am confident, as the gentleman has always been friendly to the veteran.

Mr. TILSON. It is said, or at any rate assumed, as a basis for the apparent criticism of these large expenditures, that there

Is no danger of this country's being involved in war within the near future. I am in accord with the belief that war is not imminent. I do not believe that war is coming soon, and I certainly most fervently hope and pray that it may never come. My service on the Committee on Military Affairs of this House has not caused me to fear immediate war, but it has increased my sense of responsibility for the awful consequences if war should come and find us unprepared. No one can rightfully accuse me of being afflicted with "bellophobia." In fact, I am second to none in my abhorrence of war, for I realize that Gen. Sherman in his famous declaration on that subject only very mildly described its character and consequences.

I have had a brief service as a soldier in the Volunteer Army of the United States and a somewhat longer service in the National Guard of my own State. This service has caused me to know something of the hardships of the soldier's life in the field, even when not in the presence of an enemy, and we all know from history the terrible consequences of actual conflict. It is, in fact, easy to picture the most gruesome scenes of blood and carnage without in anywise going beyond the truth.

In our study of the past as a guide in our preparation for the future it is proper to consider how much could have been saved of both blood and treasure by a proper preparation for those wars in which our country has heretofore engaged. Take the case of the War of 1812; we had in the field at that time a little more than half a million men.

We spent quite a large sum of money, large for that day, and the history of the military operations of that conflict is made up largely of a series of defeats and disasters. With the exception of the battle of Lundys Lane and at New Orleans (fought after a treaty of peace had been signed) there is practically no other tale to tell, so far as the land operations were concerned. Owing to the fact that Great Britain was at that time engaged in the Napoleonic wars we escaped rather fortunately. The entire force of regular troops used against us amounted to less than 20,000 men. This very Capitol was captured and burned, so far as it was inflammable, by a small force which was opposed by a body of our own men more than twice as large, certainly just as brave, but without proper preparation or training. For the Mexican War we were somewhat better prepared than for the War of 1812, and we had an enemy much less prepared than ourselves.

The greatest object lesson, however, came in the War of the Rebellion. At no time in our history had military preparations or military interest sunk to so low a point as at the beginning of the Civil War. The State Militia of that time could only by a figure of speech be called the Organized Militia. The small regular force was not well equipped. If it had not been for the fact that the arms of the United States were opposed by arms in the hands of men not even so well prepared the results of that war would have been more disastrous than they were. There is the best of ground for the opinion that 50,000 regular troops, well equipped and well trained, on the Union side at the first battle of Bull Run, would have decided that conflict and terminated the war in the summer of 1861.

In the War with Spain it was the same old story. Lack of preparation caused us to rush into the field regiments half equipped and less than half trained. Yes, more; we had to rush into the market and buy all sorts of transportation facilities, both by land and sea, as well as supplies, ordnance, and ammunition at almost any price they might be offered, and to accept almost whatever quality of goods that might be furnished—a very costly as well as dangerous necessity.

Preparation for war and lack of preparation are quite analogous to insurance. You can not insure when the risk against which you would insure is at hand, and in this generation you can not prepare for war after hostilities have begun without running the risk of not having your preparation complete until the war is over. I have the honor to represent on the floor of this House a State small in area, but great in other respects, and especially so in the field of insurance. Connecticut believes in insurance for her own people and for others, as shown by the millions of risks written every year by her great insurance companies. In fact, she stands preeminent among her sisters as an insurance State. The life insurance companies of Connecticut write millions of insurance annually and receive vast sums in premiums in payment therefor. Why do men insure their lives, paying premiums that often become a heavy burden? They do not expect to die this year or next year. And what should we say of the man who postponed insuring his life for the protection of his family until the death malady had seized him? His place of business may have been for years a popular resort of life insurance soliciting agents, but when it is known that some fatal disease has finally seized him, the agents pass him with a shrug of the shoulders, saying "too bad," and if he applies in person the insurance companies decline to do

anything for him. Everyone knows the result—he probably dies and leaves his wife and children paupers.

A prudent man purchases accident insurance at considerable expense to protect his family and himself against temporary or permanent loss of earning power through accident. What would you say of the man who attempted to take out an accident policy after the train in which he is traveling had left the track and started to roll down the embankment?

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. TILSON. I will yield to the gentleman.

Mr. GOULDEN. I would like to answer the question that the gentleman has just asked in the words of the Good Book, which says:

He who fails to provide for his own, they of his own household, hath denied the faith and is worse than an infidel.

Mr. TILSON. I thoroughly agree with the gentleman from New York.

A careful business man insures his building against loss by fire and renews the insurance year by year, at considerable expense, without expecting his building to burn—that is, if he is honest. What would you say of the man who had all of his property engaged in a single business who waited until the corner of his building was on fire before attempting to take out a fire-insurance policy? Or more broadly, what would property owners and the public generally say of a city government that took no steps toward procuring fire apparatus or training firemen until after fire had already broken out in the city? A volunteer bucket brigade would then be the best that could be done. Instead of this we see cities spending millions for costly fire-fighting apparatus and for other maintenance of a well-trained force of firemen.

In my own city of New Haven, with a population of a little less than 150,000, there is invested in fire-fighting apparatus and equipment a half million dollars; and we have a force numbering nearly 200 of the bravest and sturdiest of our young men, all maintained at an annual expense to the taxpayers of a quarter of a million dollars, because our mayor and aldermen and the people back of them fully realize the wisdom and necessity of being ready for the conflagration which they hope will never come, and because they know that it requires months and years to secure the proper and necessary apparatus and train the most efficient firemen. All these are but analogies to our lack of preparation for war and illustrations of the arguments and insinuations against proper appropriations for this purpose.

In former times and even in the days of our fathers when wars came they came with more or less deliberation. Communication of intelligence was limited to the speed of a courier or a sailing vessel, and transportation by land and sea was both slow and difficult. Preparation for war in those early days of our history was a simple matter. Firearms were more generally owned and used both for hunting purposes and for protection against wild animals and savage men. The largest guns then used could be literally cast overnight, while the preparation of ammunition was a quick and easy matter. Those simple times have passed. Communication of intelligence is now instantaneous. The sea itself, then the greatest barrier against our enemies, as well as our own best defense, is to-day the very best and quickest means of conveying an enemy to our shores. In contrast with the weapons of those earlier days the weapons used to-day are of a highly complex character, delicately adjusted, and require much time and money to make; while the men who are to use them require skill and careful training for the effective handling of such delicate instruments. Even the ammunition requires much time and skill to manufacture. Our guns are now of long range and in the preparation of ammunition for these guns great precision is required in order to make them accurate and effective.

The last paragraph of this bill, against which the gentleman from New York [Mr. MICHAEL E. DRISCOLL] has reserved the point of order, aims at supplying in part one of the most urgent needs if we would keep our small military establishment in any reasonable degree of readiness for possible hostilities. Our stock of small arms is reasonably adequate, about two-thirds of which are of the latest improved model of the Springfield rifle; and the reserve stock of ammunition for these arms, though somewhat small, can without great danger be replenished quickly. Lack of field artillery and ammunition is much more serious. If a war of any magnitude were suddenly precipitated it is very clear that raw troops would have to be used, and it is a well-known fact that the proper use of an abundance of field artillery is the best possible means of giving confidence to and securing steadiness among raw troops. Yet the proportion of fieldpieces to the number of bayonets and sabers of even our small force is ridiculously small as compared

to the armies of other countries, while the amount of field artillery ammunition on hand is less than half that required by the military regulations for a single campaign.

I yield to no one in the fervor of my desire for peace, not even to that distinguished apostle of peace in this House, my friend from Missouri [Mr. BARTHOLOMEW]. I joyfully welcome to the field that latest and newest peace organization with the longest name, "The American Society for the Judicial Settlement of International Disputes." I am rejoiced to see the very large and imposing gifts of Mr. Carnegie to be used to promote the peace of the world. I may have my own doubts as to whether the manner in which those large sums of money have been and will be spent will accomplish as much for the promotion of lasting peace as if they were expended for the pay and training of the Organized Militia, the raising, equipping, and maintaining of a few good batteries of field artillery, or even the building of a battleship, but that is only a matter of honest opinion and is not for me to decide.

If I did not believe that every dollar we appropriate in this bill and all other bills for the support of the Army and the Navy, for the training of the Organized Militia, and for the strengthening of our seacoast defenses, either directly or indirectly, aids in preventing war and securing a more permanent peace, I should vote to keep it in the Treasury. Because I stand on this floor to advocate such an appropriation, I shall not permit myself to be forced into the attitude of favoring war, and be classed in the list of bloodthirsty ogres hungering for human gore. I feel that I am advocating only such appropriations as common prudence dictates as the minimum necessity for proper preparation. I am a peace-loving man and long for that day when "the peace of God which passeth all understanding" shall possess the hearts and minds of all men everywhere so that they shall never again desire war; but in order to help hasten that millennial day, I deem it the part of the highest wisdom, as well as my solemn duty, to favor reasonable, yes, ample, appropriations for military and naval purposes.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I am informed the gentleman has been interested in the Organized Militia of the country.

Mr. TILSON. That is true.

Mr. MICHAEL E. DRISCOLL. As an active member?

Mr. TILSON. Yes.

Mr. MICHAEL E. DRISCOLL. I would like to ask the gentleman, whether he believes the placing of the militia on a pay basis would improve the character or usefulness of that organization. I am interested in that myself, and since he is an active member of that organization, I would like his judgment.

Mr. TILSON. Mr. Chairman, my own belief is that eventually this country must have a reserve, and that probably the best means of securing that reserve is to turn the militia from being a State organization, as it was up to the time of the Spanish War, into a real national reserve, as it is now to a limited extent.

Mr. MICHAEL E. DRISCOLL. Then would it at the present time raise the character of the personnel or the usefulness of that organization?

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. MICHAEL E. DRISCOLL. I ask that two minutes be given the gentleman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TILSON. I believe it would increase the usefulness of the organization in this respect: At the present time, with all the requirements that are made, and properly made, by the War Department for the high-degree efficiency of the National Guard, the load has become so heavy that young men are not willing to carry it without pay, and the organizations all over the country, so far as I am acquainted, are falling off in numbers, and officers are having more difficulty in keeping up the personnel of their organizations.

Mr. MICHAEL E. DRISCOLL. Would it not have the tendency to cause men to enter the organization purely for mercenary motives—a dollar a night for the drill—and there would be less patriotism and less of a military spirit in it than now?

Mr. TILSON. There might be something in that, but I believe it would be very much offset by the discipline which it would enable the officers to enforce by having the men paid so that they could be disciplined. As it is now every militiaman simply serves for love, and at his own expense. It is so all over the country, and it is a large expense to the men in the militia. Instead of serving at their own expense they would be in the pay of the United States Government and they could be thereby held to strict discipline.

Mr. MICHAEL E. DRISCOLL. Is not practically the quota pretty nearly filled now without pay?

Mr. TILSON. I think not.

Mr. MICHAEL E. DRISCOLL. It is about 120,000.

Mr. TILSON. I understand it is not so generally, and I know that officers are having some difficulty in keeping the ranks of their organizations full.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I withdraw the point of order.

Mr. STEVENS of Minnesota. Mr. Chairman, there are some suggestions I wish to make upon this particular item. First, I desire to call attention to the expense which must be incurred because of this item and the expense which must necessarily ensue from its adoption; and secondly, the defect which exists in our Military Establishment, as illustrated by this item. First as to the cost because of the item. It calls for \$770,000, for 20 guns, I think. The Chief of Staff, Gen. Wood, testified before the Committee on Military Affairs that there should be a thousand pieces of artillery in the United States Army to provide for the present needs and a sufficient reserve. The Chief of the Ordnance Bureau, Gen. Crozier, in a letter to the chairman of the Committee on Military Affairs, which is printed in this estimate and has been read to the House, thinks there should be 1,200 pieces of artillery. The 1,200 may be divided into two classes, roughly speaking—one the 3-inch gun, the smaller gun, and the other the 4 and 6 inch guns. Gen. Crozier, the Chief of Ordnance, asked for 780 of the 3-inch or smaller gun and 420 of the larger guns. Of the 780 guns, 432 are on hand now, leaving 348 to be supplied by present and future appropriations. Of the 420 larger guns, 140 are on hand now, leaving 280 to be supplied by present and future appropriations. The 348 guns to be constructed will cost about \$21,000 apiece, so that there would have to be \$7,308,000 required for the smaller guns for use or in reserve. The larger guns cost on an average \$37,500 apiece, requiring \$10,500,000 for the supply of the larger guns, making a total appropriation necessary of about \$17,800,000 for the supply of this reserve artillery. Gen. Wood further testified that there would be needed \$12,600,000 for ammunition for the thousand guns. Gen. Crozier testified what would be necessary—200 additional guns—so that, adding the amount for the artillery, \$17,800,000, and the reserve supply of ammunition for it, there would be required something over \$30,000,000, of which this item is but the beginning.

Now, probably this is all necessary and must be supplied, but the country should know what this item means. It is the beginning of a \$30,000,000 appropriation for reserve artillery and ammunition for it. There are a million small arms needed, and supplied, for the most part, at a cost of \$15 each, or \$15,000,000. Those are nearly all supplied. The ammunition that is on hand has cost about \$6,000,000, so that the total amount of reserve arms and reserve artillery and ammunition for them will cost the Government more than \$60,000,000, of which not quite one-half has been supplied. Now, this cost is only roughly approximate. In all probability it will exceed this sum, and in case the numbers are increased or the type be changed the amount will be still larger. So the Congress and the country should understand that there will be needed in the future more than \$30,000,000 to complete the work undertaken by this item.

Now, I presume it is necessary. If we are to have an Army it must be properly equipped. It must have the very best artillery and very best ammunition in the world. Our troops must have as good as anybody's and our people be protected the best of anybody, and this money ought to be expended, but we ought to understand, and the country ought to understand, the amount that will be needed, why and when it will be needed. I think the officers of the War Department should be criticized on this account. This item was not submitted in the regular Book of Estimates. It was sent in afterwards. In the hearing before the Committee on Military Affairs Gen. Crozier hinted that this estimate was under way, but he did not tell us what it was and did not give an outline of these facts I have stated. He did not indicate the kind of gun that would be needed, or the character or the expense of the gun. Gen. Wood, when he testified, indicated that the guns would be of the smaller caliber, at a cost of \$21,000 each, but when we come to find the estimate before the committee they cost \$37,500 each, of a different and larger caliber. Now, I submit that is not fair treatment of this committee or this House or the country.

The War Department knew when this Book of Estimates was prepared that these guns were necessary, and it knew the number, size, character, and cost of guns that ought to be supplied. They did not send us the information as they should, and we have legislated under some difficulty on account of this delay. And that brings me to the second suggestion—that there is somewhere a defect in the organization of our Army,

which is causing additional and unnecessary expense and prevents the greatest possible efficiency for the money used.

We have as good supply departments as any army in the world. I doubt if there are more efficient officers than we have at the head of those departments—Gen. Crozier, Gen. Aleshire, and Gen. Sharpe. They have their departments in the highest state of efficiency. We have as able, competent, and brave line officers as are in any army in the world, and our people need have no anxiety about their performing their duty whenever or wherever they may be called to do it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENS of Minnesota. I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STEVENS of Minnesota. But the difficulty is that there is no coordination of those departments with each other and with the general structure or line of the Army, and it is illustrated by this very item. Gen. Wood came to us and asked for a thousand guns, and intimated that they would cost \$21,000 each, meaning by that the 3-inch caliber. The Chief of Ordnance then comes and indicates that they want 1,200 guns, many of them of a different caliber, and at a larger expense. The difficulty is that we are spending more money than we ought to spend for the results we get.

Now, I do not know where the trouble is. As I said, the bureaus are efficiently administered and honestly administered. We get splendid service out of them. The line is honest, brave, and remarkably able and capable. The people of this country are willing to spend the money, but the difficulty is there seems to be a lack of system, a lack of coordination somewhere, and somehow that makes the Military Establishment more expensive and less efficient than it ought to be considering what it costs. Germany spends about \$165,000,000 to supply over 600,000 men; England and France expend about \$150,000,000. England, I think, has about 225,000 men; France has about 600,000 men. We spend about \$120,000,000, all told, for West Point, for fortifications, and one thing and another, to supply an army of 85,000 Regulars and the Militia—115,000. Now, of course, such a comparison with these nations is unfair and I will not make it, because we pay our officers and men better and we treat them better. Everything that we supply is more expensive. At the same time I believe that there should be an improvement in our system, a coordination in the different branches; that there should be greater efficiency for the money that we expend. Now, I believe that can and will be accomplished. Since I have been on the Military Committee we have seen a vast improvement in the bureaus of the Military Department. There is a business end to them which should be commended and encouraged and aided by Congress wherever we can. It may be the fault in good part is ours. But we should be informed as to it. I believe that in the Chief of Staff now we have a man who understands the necessity of doing this very thing. I have great confidence in his ability, patriotism, and desire to do this very thing. I only call attention to these items to show the country the purpose of the large present and future expense. Some way should be devised to improve the Army and cut down whatever expenses that are unnecessary, and get better results for the money which the people are willing to pay for the Military Establishment.

Mr. HULL of Iowa. Mr. Chairman, just one word. The gentleman from Minnesota correctly states what Gen. Wood stated before the committee as to the cost of the gun of the Field Artillery. But Gen. Wood is not an ordnance officer, and had not the information that the Chief of Ordnance had as to the character and necessity for these guns as provided in this appropriation. Now, we have supplied the militia with the 3-inch gun to the amount of 200 guns. No army is properly equipped that has not some of the heavier pieces of field artillery, and the Chief of Ordnance gives a very clear reason for it in the fact that it is so much more effective under certain conditions than it is possible to make our Army with the 3-inch gun, and shows very clearly that no army can be properly equipped unless it has these heavier pieces of Field Artillery.

In other words, our Army would be at a great disadvantage as against the army of any other country unless these guns are provided. We want to have 4 guns to the 1,000 men, and 250,000 men will require at least 1,000 guns. Germany has 7 and France has 5. Four and one-half is supposed to be the minimum for a thousand men, and yet they have made this estimate of ultimately equipping 250,000 men with only 4 guns to the 1,000 men, which is less than any other nation.

Now, as to its cost. You can not compare the cost of the Army of the United States with any other nation for this reason, that except in Great Britain every other nation has conscription. France pays its soldiers \$2.50 a month; Germany

pays its soldiers \$2.50 a month. In Great Britain, where they have a voluntary system, they pay them \$9 a month. If we had conscription, making every man in the United States serve, we could fix it at whatever we pleased. But this country is not willing to come to that, never has, and will not for many years in the future, I believe.

Now, as to the cost of the guns. I want to make this statement to the House, and the facts will bear me out. No nation on the earth manufactures guns cheaper than we are now doing. I know it is said that when we construct a ship in a navy yard it costs 20 per cent more to do it than in a private establishment. But we are manufacturing powder in our powder establishments and our guns at Watervliet cheaper than any private individual concern will bid to do it for us. Taking into account all our overhead charges, we are making metallic ammunition 20 per cent cheaper than we can buy it under contract from any private concern.

Mr. MANN. Not so much as that.

Mr. HULL of Iowa. We are making our arms cheaper than we can get them done anywhere else on bids, and carrying our overhead charges and the eight-hour system. I can not understand why it costs more in the navy yards than it does outside. I know in the manufacture of arms that it is done in our own factories cheaper than it can be through persons or corporations supplying those things by contract. While it may cost 30 or 50 millions, if we are going to make any adequate preparation for war we must make that preparation before war is entered upon. It takes a year and more to manufacture one of these guns, and wars in the future will not be cases of 7 or 30 years, but a sharp, short, decisive meeting of troops in the field.

Mr. COX of Indiana. Will the gentleman yield to a question?

Mr. HULL of Iowa. Yes.

Mr. COX of Indiana. You are making a very interesting speech to me. If it be true that we can make these things in the navy yards cheaper than they can be made by private manufacturers, why not enlarge our plant?

Mr. HULL of Iowa. I do not have charge of the navy yards.

Mr. COX of Indiana. Why not manufacture all of our powder?

Mr. HULL of Iowa. It would require us to make an enormous plant, requiring the investment of a large sum of money, that would stay idle all the time during periods of peace. By giving small contracts to these different private enterprises and powder manufacturing concerns we have them available for use during any time of war. That would be almost impossible if we provided to manufacture all our own powder.

Mr. MANN. And we do not make our powder 20 per cent cheaper, either.

Mr. HULL of Iowa. Well, we make our metallic ammunition cheaper than any bids we have been able to get by 25 per cent.

Mr. GILLET. Has not the program been two guns for 1,000 men?

Mr. HULL of Iowa. No; two guns for 1,000 with 150,000 men.

Mr. GILLET. That has been the program?

Mr. HULL of Iowa. We have always tried to get four guns for the 1,000 for the last five or six years; and the last war between Russia and Japan demonstrated the enormous value of six guns to the 1,000.

Mr. GILLET. Maybe I am mistaken, although I thought the program had been two guns to the 1,000.

Mr. HULL of Iowa. Up to to-day the estimate has been for more than that, four guns to the 1,000—250,000 men and 1,000 guns.

Mr. GILLET. What is the present program?

Mr. HULL of Iowa. Four guns to the 1,000—250,000 men, and that is the minimum.

Mr. GILLET. There is a sudden great increase in the appropriation this year, is there not?

Mr. HULL of Iowa. No; there is an increase over last year, because of the fact that we carried nothing for the militia last year. There is a reduction on small arms, and this item for Field Artillery is again taken up.

Mr. GILLET. I am talking about the larger guns.

Mr. HULL of Iowa. That was dropped out last year, on the ground that we had up to that time practically provided the militia as much as we expected to. Since then it has been shown to be necessary to provide the heavier guns for the Field Artillery.

Mr. FOCHT. Mr. Chairman, in this era of conservation, economy, and reform I must agree with some Members of this House that an appropriation of \$100,000,000 to maintain the American Army in time of peace is indeed staggering, if not almost bewildering, and we need not be surprised at the adverse comments we hear from the people of the country.

When Napoleon was under examination in a military school in France he was asked, "What would you do if you were in a fort surrounded by a hostile force and you needed supplies? What would you do for relief?" His reply was, "I would get them from the enemy."

But if we were in conflict with Germany, it is pretty far for us to go to Germany to get our supplies, although we might. If we were in conflict with Japan, it would be pretty far to go there, and yet we might. So I agree that if we are preparing for a conflict with either of these great powers we should be ready. I have heard war declared with Japan on this floor a number of times by the gentleman from Alabama [Mr. Hobson] and by other gentlemen through newspaper interviews, and the contemplated article that was to have been published by Gen. Huidekoper as to the possibility of an awful conflict with Germany. Every two years since I have been here there has been from some source a declaration of war about the time that this appropriation bill has been up for consideration.

I agree with the gentleman that the future conflicts will come suddenly and will be soon decided. There sat on the steps of this Capitol many years ago Mr. Samuel Morse, pleading for \$30,000 to build his telegraph line, and an eminent Congressman, who was afterwards elected governor of a State of this Union, said derisively and sarcastically, "If you build a line to Baltimore, why not build one to the moon?"

Now, at the risk of incurring the ridicule of the Members of this House, I would like to ask you to-day, in the light of the evolution of the flying machine and of the accomplishments of the daring aviators who have pierced the clouds and flown across the skies, What consideration have you given to the possibility and the hope of finally eliminating absolutely the horrors of war on account of the destructiveness of these aerial machines?

Mr. HULL of Iowa. We have given it no consideration, because we have had no opportunity. I will say to the gentleman that I believe the aeroplane of the future is going to be a great benefit to the world and absolutely necessary to be used by the nations as scouts of the air in time of war, but nothing on the subject was submitted in the estimates, and it would be extra judicial if we should take it up. So, much as I believe in the possibilities of utilizing these machines, there was no opportunity for the committee to submit anything on the subject.

Mr. FOCHT. Instead of appropriating without consideration of the proposition, I submit that it would have been better to have looked into it, in view of the known possibilities and deadly effect of these machines. If there should be war between this and any other country, the use of them, with their deadly possibilities, would mean annihilation. If both countries are supplied with instruments so deadly as these machines will be, then there will be no war. It seems to me it would have been a step in the direction of progress and in answer to the call of the people of all the world for peace if some consideration had been given to these instruments of death, which in their power of annihilation will ultimately bring universal peace.

It was a Pittsburgh blacksmith who invented the range finder, and two mechanics, the Wright brothers, from Akron, Ohio, have furnished the most deadly instrument known to warfare, and it is but a just tribute to these men to say that the genius of their inventions will in all probability bring about ultimate peace through the instrumentality of their deadliness. I think it would have been wise—without any criticism of our Committee on Military Affairs, but having full confidence in that committee, their respect for the spirit and genius and courage of the American soldier—it would be wise to give our soldiers the best armament that there is in the world, because behind our guns are the greatest bravery and the most unselfish courage. Yet we must not forget that the criticism and the discussion going on throughout the country to-day is based upon the useless expenditures, if any, of this Government, and if 70 per cent of all the revenues of the Government go for the Army and Navy in time of peace, it seems to me the committee should consider an appropriation of a part of this vast amount of money in at least experimenting with that instrument which may bring about peace and save at least one-half of this appropriation. If it will amount to anything it will mean the utter elimination of war, followed by universal disarmament and consequent conservation of countless lives and treasure beyond estimate. [Applause.]

Mr. SULZER. Mr. Chairman, I want to say a word in reply to the gentleman from Pennsylvania. When the bill was under consideration I moved an amendment on page 5 to the bill so that it would include aeroplanes, and I understand now that the gentleman from Illinois is going to move another amendment to increase the appropriation before the bill is finally passed.

Mr. HULL of Iowa. Mr. Chairman, we have completed the reading of the bill, and I ask unanimous consent to return to page 22, line 6, and the following pages, to correct some punctuation, at the request of the Commissary General of the Army.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HULL of Iowa. Mr. Chairman, on page 22, line 6, after the parenthesis which follows the word "transports," insert a comma.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 22, line 6, after the second parenthesis, insert a comma.

The amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, on page 25, line 3, after the word "transit," I move to insert a comma.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 25, line 3, after the word "transit," insert a comma.

The amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, I ask the unanimous consent to turn to page 36 of the bill, the Quartermaster's Department, for the purpose of offering an amendment.

Mr. MANN. And in connection with that I ask unanimous consent that we may recur to page 5 of the bill, under the head of "Signal Service of the Army."

The CHAIRMAN. Is there objection to the joint request of the gentleman from Iowa and the gentleman from Illinois?

There was no objection.

Mr. HULL of Iowa. Mr. Chairman, in line 1, page 36, I move to insert the words "hire, operation, and maintenance." They went out on a point of order, and I move to insert those words in the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 1, after the word "purchase," insert the words "hire, operation, and maintenance."

Mr. STAFFORD. Does the gentleman from Iowa intend to offer any other amendment?

Mr. HULL of Iowa. Yes; I intend to follow it up.

Mr. STAFFORD. Does he intend to move to amend so as to include automobiles?

Mr. HULL of Iowa. Yes; I am going to move that.

Mr. STAFFORD. I believe all these provisions went out on a point of order.

Mr. HULL of Iowa. Yes.

Mr. STAFFORD. Has the gentleman received any subsequent light?

Mr. HULL of Iowa. Nothing special; we let it go by default on the point of order. I think the main thing the parties had in mind was to remove the suspension. I think every Member realizes the fact that if we have vehicles there ought to be some way of operating and maintaining them.

Mr. STAFFORD. I have no objection to automobiles under the control of the department.

Mr. MANN. I suggest that the effect of this amendment would not be to give authority to either hire, operate, or maintain automobiles. The other amendment may be subject to a point of order much more so than this. This amendment, so far as it goes, would simply give authority to maintain the wagons they now have. The only item that amounts to anything would be the word "hire."

Mr. STAFFORD. Has the department ever been called upon to hire automobiles?

Mr. HULL of Iowa. In some cases they say, yes, to a very small amount; but in some cases it has been very important that they should hire. I withdraw the point of order.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. HULL of Iowa. Now, Mr. Chairman, I move to amend in line 2, page 33, after the "drays," and insert the words "and other vehicles."

Mr. COX of Indiana. Mr. Chairman, I reserve the point of order on that.

Mr. HULL of Iowa. Mr. Chairman, I think it is very well understood what this is for. It is to carry on the work they are doing now and have been doing.

Mr. COX of Indiana. I make the point of order upon that, Mr. Chairman.

Mr. HULL of Iowa. I do not think that affects the purchase one way or the other, because it says—

And repair of such harness, wagons, carts, and other vehicles.

Mr. MANN. But it covers the purchase, the whole thing; it is the purchase, hire, operation, maintenance, and repair of other vehicles.

Mr. HULL of Iowa. For the purchase, hire, operation, maintenance, and repair of such harness, etc.

Mr. MANN. Under the gentleman's contention, then, they could not use any of this appropriation.

Mr. HULL of Iowa. I am not making any special contention.

Mr. MANN. What does the purchase refer to?

Mr. HULL of Iowa. Any other vehicle the Government owns.

Mr. MANN. You have to say it is for the purchase, hire, operation, etc.

Mr. HULL of Iowa. I concede it takes it all in.

Mr. COX of Indiana. Mr. Chairman, I make the point of order.

Mr. HULL of Iowa. Mr. Chairman, on the point of order I simply want to say that the law creating the Department of War gave to the Congress a duty of supplying them with what was necessary for the operation of the department. It has been held, I think, in the Agricultural Department, in several cases, to mean that they did not have to have specific authority for each item, but simply the necessities of the department. Now, the world has moved on in the matter of transportation. It has been shown conclusively, I think, to the committee and to the country that under proper restrictions the automobile is a measure of economy, and I am perfectly willing to submit it to the Chair without any further argument that it is in order.

Mr. COX of Indiana. I understood it to be stated the other day by the chairman of the committee that there was no law justifying or giving the Army power to purchase automobiles.

Mr. HULL of Iowa. I said, or anything else in this bill if the items in question were not in order. I said the whole item was subject to the point of order as much as that was. I can see that it was claimed it was subject to the point of order because it was new language, but my judgment is that the new language of itself does not make the point of order good. I am willing to have the Chair rule upon it.

Mr. STAFFORD. Mr. Chairman, if the Chair will indulge me in the discussion on this question, the other day I directed the attention of the chairman of the committee to a decision of the Comptroller of the Treasury in passing upon the vouchers for the payment of repairs and purchase of these vehicles, and I desire to call the attention of the Chair to an extract from that decision to be found on page 161 of the hearings before the Military Committee.

The CHAIRMAN. The Chair would like to hear that. The Chair would first ask the gentleman from Wisconsin if that is the provision in connection with voucher 1-B?

Mr. STAFFORD. No; it is the provision that extends to all of these items. It is a general ruling of the Comptroller of the Treasury on one of these expenditures authorized by law:

In a decision of the Comptroller of the Treasury, dated June 24, 1910, approving the action of this office in making an original construction of the law regarding the question as to whether the appropriation "Transportation of the Army and its supplies" is legally chargeable with the cost of services rendered and material furnished in repairing automobiles for the office of the attending surgeon in the city of Washington, he decided that the appropriation was not legally chargeable with the cost of said services and material. He also stated in said decision that he knew of no law that authorized the purchase or maintenance at public expense of an automobile for said officer's use.

If the comptroller's decision is correct, I believe there can be no question about the matter, and the Chair will have to hold that this is subject to the point of order.

Mr. HULL of Iowa. Mr. Chairman, the comptroller held that the Quartermaster General could buy the vehicles, but he could not send one to West Point or to New York or San Francisco. He passed the authorization for their purchase when they were bought. The Signal Corps bought an automobile. It was necessary for them to have one for the work in the field. The comptroller held it up, but the Quartermaster General immediately assumed it and bought it, and the comptroller passed it.

Mr. STAFFORD. And yet here we have in the hearings held before the gentleman's committee an exhibit presented by a division of the War Department a statement which specifically holds that the comptroller held that there is no law that authorizes the purchase or maintenance at public expense of an automobile for said officer's use, and further that these items of expense, including the wages of chauffeurs and the operation of automobiles, had been held up and disallowed because no authority of law could be found to warrant the expenditure.

The CHAIRMAN. Will the gentleman from Wisconsin give the Chair his attention for a moment? The Chair understands that the holding of the comptroller went to the specific purchase of an automobile. Without indicating the opinion of the Chair on the subject, the Chair would like to hear the gentleman from Wisconsin on this theory: The language of the bill is—

For the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, and other vehicles as are required for the transportation of troops and supplies, etc.

Now, what is there in that language to bring to the ruling mind of the Chair, so to speak, any idea other than that the vehicles which will be purchased under this appropriation are those which are required for the transportation of troops and supplies for military and garrison purposes? What right will the Chair have to assume that the Comptroller of the Currency, having ruled an automobile was not within that class of purchases for transportation, that one will be purchased?

The Chair asks this for the purpose of developing the argument of the gentleman from Wisconsin.

Mr. MANN. I call the attention of the Chair to the fact that part of the language which the Chair quoted has been stricken out.

Mr. STAFFORD. I wished to inform the Chair of this decision—

Mr. MANN. The Chair in quoting the bill referred to the language "for official military and garrison purposes." "Official military and" has already gone out of the bill, so that the language now reads, with the amendment, "vehicles for the transportation of troops and supplies and for garrison purposes."

The CHAIRMAN. The Chair does not see how that impairs the argument.

Mr. MANN. Not at all.

The CHAIRMAN. But the Chair thanks the gentleman for the information.

Mr. STAFFORD. I have stated to the Chair that I personally should not have raised an objection to the purchase of an automobile, but I wished to direct his attention to the decision as it was called to the attention of the committee last week.

Mr. HULL of Iowa. Mr. Chairman, I do not know that it is necessary for me to say any more, except, in my judgment, anything that is necessary for the proper conduct of the War Department is in order before the Congress. It may not be voted for or be allowed, but it is in order, and when you say here, "and other vehicles as are required for the transportation of troops and supplies," you are simply legislating as this has gone up through all the past history of the Government and, as improvements have come, by giving the department what was necessary for the proper transaction of the duties of that department fixed by the very organic act.

Mr. MANN. I would like to suggest to the Chair on the question of order. I made the point of order on this the other day. I am perfectly willing to give my opinion for or against the point of order which I made. If there is no authority in law for the purchase of vehicles for the transportation of troops and supplies, then the item already in the bill for the purchase of wagons, carts, and drays is subject to a point of order, and the question would be whether an amendment adding to that other vehicles was a germane amendment to the proposition, such as wagons, carts, and drays.

It seems to me if there is any authority to make purchases of any of these vehicles that then there would be authority, as far as the rules were concerned, to add to the provision authorizing the purchase of wagons, carts, and drays, other vehicles for certain official purposes. It would be perfectly germane and very sensible on the part of Congress undertaking to direct the purchase of wagons, carts, and drays, to say there might be something else which would do the work for the transportation of troops and supplies far better in the Philippine Islands or some other place than a wagon, cart, or dray. There are places where they might use something that might not come under either of those designations. For instance, there might be a sled required in places for transportation. In Alaska, I apprehend, a cart or dray would be of very little purpose in the transportation of Government supplies. What they require is a sled, something on runners.

The CHAIRMAN. The Chair is ready to rule.

A question similar to the question now before the committee was before the Committee of the Whole House on the state of the Union two years ago, when the chair was occupied by the distinguished gentleman from New York [Mr. PERKINS], when the question came up on an appropriation for war balloons. They were shown to have been in use in the equipment of the signal service of armies, and the then occupant of the chair held that an appropriation for war balloons was one in continuance of a public work in this particular bill. The point of order was specifically made against the paragraph by the gentleman from Arkansas [Mr. MACON], and Mr. PERKINS, in a somewhat lengthy decision, held that a war balloon, for the reasons which he gave, was a continuance of a public work. Similarly, on the same bill, probably not quite as good an instance, an appropriation for the purchase of small arms for the Army was held in order as a continuance of a public work. In the opinion of the Chair, when Congress appropriates for a

particular set of transportation equipment and then, in order to cover possible deficiencies, authorizes the proper officers to purchase "other vehicles," it is simply a continuation of the work of transporting the Army, and so far as the committee and the Congress are concerned, the question of what are proper "other vehicles for garrison purposes" is one to be determined, possibly, in the first instance, by the purchasing officials, and, subsequently, as was done in the case of automobiles, by the Comptroller of the Treasury.

The Chair therefore overrules the point of order. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, in line 4, page 36, I move to insert before the word "garrison" the words "official military and."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 36, line 4, before the word "garrison" insert "official military and."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. HULL of Iowa. I also wish to offer an amendment in line 10, page 36, by inserting the words "official military and."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 36, line 10, before the word "garrison," insert the words "official military and."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that amendment in order to ascertain the need of that language. Does that language permit the officials to purchase pleasure boats to sail between posts and cities—

Mr. HULL of Iowa. Oh, no.

Mr. STAFFORD (continuing). If it is connected with the official military business of the Government?

Mr. HULL of Iowa. The Quartermaster General now purchases a large number of small boats, but this would not authorize the purchase of any of these for anything but official work.

Mr. STAFFORD. What is the need of this language if he has the authority to do it?

Mr. HULL of Iowa. To give him the authority and the money.

Mr. MANN. Without this in the bill he has the authority only for garrison purposes. We propose to give it for official military purposes.

Mr. HULL of Iowa. Take, for instance, Fort Washington, down here. They have a boat with which they carry the men down there in the morning and back at night. That is official military work on that reservation.

Mr. STAFFORD. It would require some language that would cover it?

Mr. HULL of Iowa. They claim it makes it clear.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, Mr. Chairman, I ask to recur to page 5, in accordance with the previous order, for the purpose of offering an amendment to come after the word "aeroplanes," already inserted in the bill, line 13, page 5.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 13, after the word "aeroplanes," as inserted, insert the following: "including their maintenance and repair."

So that it will read:

War balloons and aeroplanes, including their maintenance and repair.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to strike out in lines 21 and 22 the words "two hundred and fifty" and insert the words "five hundred."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, lines 21 and 22, strike out the words "two hundred and fifty" and insert "five hundred."

Mr. MANN. The purpose of that, Mr. Chairman, is to increase the appropriation so as to make available \$250,000 for the purchase of aeroplanes. If that amendment prevails, I

shall offer a further amendment providing that not more than \$250,000 of the amount appropriated shall be used for any purpose except the purchase, maintenance, and repair of aeroplanes.

Mr. FITZGERALD. Mr. Chairman, why \$250,000 for aeroplanes?

Mr. MANN. Mr. Chairman, it is admitted that the cost of maintaining and providing aeroplanes for a year is in the neighborhood of \$10,000, figuring the actual cost of the aeroplane at \$5,000, and providing for sheds, mechanics, maintenance, fuel, and deterioration. The Chief Signal Officer estimated for the purchase of 20 aeroplanes. France now has provided, I believe, 70 aeroplanes; Germany has provided a number of aeroplanes, besides a large number of dirigible balloons. This Government has one aeroplane, which it purchased from the Wright brothers for \$30,000—a very wise purchase, as it appeared to me. It would seem that our country, which originated the aeroplanes, ought to make some provision for their use in the Army, when all the other countries have taken up that subject and they have provided for a large number of aeroplanes, much larger than is provided for here. We all understand that aeroplanes are the cheapest instruments of offense that can be made effective in time of war. The cost per unit is very small; but they are worthless when you have them unless somebody can fly them. We ought to have some men begin the study of the subject, so that they will be able to handle the aeroplanes.

Mr. KEIFER. I would like to make an inquiry of the gentleman. What particular purpose is expected to be accomplished in war by the use of aeroplanes?

Mr. MANN. Well, Mr. Chairman, no one can tell what effect aeroplanes will have in war. We have now rules of international warfare, for instance, which authorize you to kill a man by hitting him in the head with a bullet, but forbid the destruction of his home by burning it under most conditions. These rules of warfare may entirely change. It is not unlikely that in the course of a few years' time it may become contrary to the international rules of warfare to kill a man with a bullet, but perfectly permissible to drop phosphorus over cities from aeroplanes. No one can tell. An aeroplane can pass over this city and set it on fire in the course of a few minutes in a dozen or 50 different places, simply with a bucket of phosphorus. Besides, it is already demonstrated that you can drop bombs from aeroplanes passing rapidly in the air, striking the object which you aim at. Time will change things. A few bombs from an aeroplane could put a naval war vessel out of commission.

Mr. KEIFER. Allow me to state that the killing by dropping bombs and things of that kind are now prohibited by an international convention that met in October, 1907. This country has since then ratified the proceedings through their Senate, and it has been proclaimed throughout the world that the United States is standing by that proclamation; and it would never be used in the way you state, and never has been.

Mr. MANN. It can be used; there is nobody to prohibit it, and nobody to prevent its being used.

Mr. KEIFER. It is forbidden.

Mr. MANN. The gentleman does not know how long that will be the practice in warfare. The practice in warfare changes.

Mr. KEIFER. All the great powers of the world have agreed to this, and they bound themselves by this rule now.

Mr. NORRIS. Even if that be the rule now, there is no rule that I know of that would prohibit the dropping of bombs from flying machines and the destruction of property.

Mr. KEIFER. It is absolutely forbidden in the destruction of property, either by bombs or any other way.

Mr. NORRIS. Property as well as people?

Mr. KEIFER. The international rules of war adopted prevent property being destroyed.

Mr. MANN. I would like the gentleman to take his own time and make his own speech.

Mr. FITZGERALD. Mr. Chairman—

The CHAIRMAN. The gentleman from New York.

Mr. KEIFER. I do not take back what I have said.

Mr. MANN. The gentleman from New York did not have the floor.

Mr. FITZGERALD. That is in the time of the gentleman from Illinois.

Mr. MANN. I had the floor.

Mr. KEIFER. I ask that the gentleman have five minutes.

Mr. HULL of Iowa. I want to make one statement in answer to the gentleman from Ohio, especially. These aeroplanes will be worth more in a defensive way to the Government in the ability to locate the opposing army than any other one thing. Take, for instance, the present formation of armies—it is on an extended scale, the front of each army covering much ter-

ritory. If they had had aeroplanes in the war between Russia and Japan, it would have been impossible for either nation to mass troops without the other knowing what they were trying to do. With modern appliances, even with field telegraphs, it is impossible to keep in touch with the operations of the opposing army as you would if you could overlook the whole field of operations, and I think the military authorities regard the aeroplane as of more benefit in the way of locating where the opposing troops are going to make the attack, where they are located in the line of battle, than any other one thing at this time.

Mr. FITZGERALD. When did they reach that conclusion? Mr. HULL of Iowa. They have reached it ever since it has been demonstrated that they could fly.

Mr. FITZGERALD. How long is that?

Mr. HULL of Iowa. They have not demonstrated its usefulness to its full extent yet. Within the last six months there has been a wonderful change of opinion in regard to the use of the aeroplane in time of war.

Mr. FITZGERALD. The gentleman has made the statement that military authorities regard it as the most important device in these defensive operations, and I have asked him when they reached that conclusion.

Mr. HULL of Iowa. Other military experts may have their opinions and regard other uses as paramount. It has struck my mind as one of the best things that has been submitted, and it has been within the last six or eight months since these sustained flights of the aeroplane have been demonstrated. It is a very recent thing.

Mr. FITZGERALD. Of course it is.

Mr. HULL of Iowa. Gen. Allen here says, in the hearings, in answer to a question of Mr. Hay:

Gen. ALLEN. Mr. Hay, what was the maximum of these aeroplanes three or four months ago is to-day the normal, ordinary working for them by almost any expert. Now we have another maximum to-day, and if that can be made normal, if the things these people are doing occasionally to-day can be done a reasonable number of times, we are satisfied with it as a military instrument, not only for scouting, but it is going to do a great many other things. But as a scouting instrument there is nothing that can in any way approach aeronautical devices, because they are three-dimension entities. They can go laterally, up, or down.

That is to say, what was the maximum, the best they could possibly do four months ago, is only their ordinary work now.

What I referred to—

There is nothing that can in any way approach aeronautical devices, because they are three-dimension entities. They can go laterally, up, or down.

Mr. NORRIS. They can always go down.

Mr. FITZGERALD. The suggestion that \$250,000 be made available for aeroplanes in this bill is the most preposterous that has been made to the House during this session. Some of us have not forgotten the attitude of the War Department toward aeroplanes two years ago. The gentleman from Iowa [Mr. HULL] and the distinguished gentleman from Illinois [Mr. MANN] were then clamoring in this House in support of a proposed appropriation of \$500,000 for the lighter-than-air machine—the balloon. Gen. Allen had only asked for \$1,000,000, and the proposal was that the balloons be tied or anchored or fastened at various points along the coasts of the country and along the border, and immense housing establishments erected, and the most elaborate schemes for the use of these lighter-than-air machines were devised and seriously urged upon Congress. That appropriation was antagonized on the ground that the progress made at that time in the science of aerial navigation was such that the heavier-than-air machine, the aeroplane, the monoplane, or the biplane would within a very short time make them completely overshadow in importance the usefulness of lighter-than-air devices, and this House, exercising, I believe, good judgment, declined to make the appropriation. Members of the House will probably recall that it is only about 18 months since the trials took place here in Washington of the Wright machines, under contract with the Government. I have not recently looked up the terms of that contract, but my recollection is that the Wright brothers were to receive \$25,000 for a machine, upon condition that it was able to accomplish certain results. One requirement was that it was to remain in the air continuously for one hour. It was to maintain a speed for a certain time of 45 miles an hour. A passenger was to be carried for a certain length of time, and the aeroplane was to be operated a distance of 5 miles over rough country and return to the place of starting.

It required months of preparation, weeks of trial and experiment at Fort Myer before the Wright brothers would attempt to make the official trial to demonstrate whether it would be possible to comply with such conditions.

Another condition in the contract was that they should instruct certain young officers in the Signal Corps in the use of

the device. They complied with the conditions, the machine was purchased, and they instructed these officers, and my recollection is that one, if not both, of the pupils resigned from the Army as soon as their education was completed.

There is no doubt that within 18 months a most marvelous advance has been made in the science of aero navigation. Last summer I witnessed daily for two weeks the efforts of certain men in the management of the aeroplane. They sailed a distance of 30 and 40 miles, not only over rough and supposedly dangerous country but a distance 3 or 4 miles out over the ocean. Instead of maintaining an altitude of 100 and 150 feet, as was done at Fort Myer, the same operators have attained altitudes of over 10,000 feet. Such tremendously rapid progress in the development of this science within a few months should demonstrate to the committee the absurdity of proposing to invest in 20 or 25 aeroplanes for use of the Army when there are no men in the Signal Corps instructed in their operation.

Mr. HULL of Iowa. Will there ever be if you do not have aeroplanes with which to instruct them?

Mr. FITZGERALD. You could not use 20 or 25 in instructing the men.

Mr. MANN. How many aeroplanes does the gentleman think we could use properly?

Mr. FITZGERALD. I believe if the department had two or three with which to experiment it would be sufficient. What will they do with any more?

Mr. MANN. If they do not do anything else except to learn to use them, that will be sufficient.

Mr. FITZGERALD. They will do nothing except to encourage the manufacturers.

Mr. MANN. I do not think the manufacturers are worrying very much over that.

Mr. FITZGERALD. I am not so sure about that. I should not want to create such a demand on the market. It seems to me that this suggestion that we rush pell-mell into a wholesale purchase of aeroplanes while they are still in the experimental stage is folly.

Mr. HULL of Iowa. Germany has spent over a million dollars in aeroplanes.

Mr. FITZGERALD. Oh, Mr. Chairman, there is one thing I have always prided myself on, and that is that I live in a country and under a Government that was superior to every other government and country on the face of the earth. I am one of those who do not believe we are benefited much by imitating other countries indiscriminately.

Mr. MANN. Would the gentleman carry that out in reference to the Brooklyn Navy Yard? [Laughter.]

Mr. FITZGERALD. Some gentlemen always believe that what some other country does, or what some other people do, is much superior to what is done here and what we can do. I submit that an appropriation of \$250,000 for the purchase of 20 or 25 aeroplanes, to provide housing places for them, without any competent or trained men to utilize them, is a waste of money.

I have no doubt, and I believe, it is a wise provision to put at the disposal of the War Department several of these machines. Congress has not been neglectful of the science and development of aero navigation. The first money expended in this country to develop that science was set aside by the Board of Ordnance and Fortifications, under which the Langley experiments were conducted. I recollect how the department was abused in this House for placing money at the disposal of what was considered then an insane idea. Simply because expert professional handlers of these machines have been able to perform some extraordinary tricks with them, however, is no reason for Congress to accumulate a whole fleet of aeroplanes and have them stored in some place, unable to be used and with nobody to operate them.

If the gentleman thinks it is wise to provide some machines, I propose a reasonable appropriation, but simply to dump a quarter of a million of dollars into aeroplanes, as if their usefulness had been demonstrated beyond controversy, it seems to me, is ridiculous. I know a great many experiments have been tried in which men in an aeroplane have gone over a certain place and dropped oranges upon a plotted battleship, and some persons have imagined that it was the simplest thing in the world to destroy battleships in that way. Maybe it will be, but nobody has taken into account that all of these experiments have been conducted while nobody was shooting at the apparatus.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. COOPER of Wisconsin. I would like to see how the gentleman would answer this suggestion of an Army officer.

Mr. FITZGERALD. Is he a real Army officer or an imaginary Army officer?

Mr. COOPER of Wisconsin. He is a real Army officer, and made this statement in testifying before a committee of the House. I read it in the report of the committee hearings. He said that the battle line at Mukden was about 50 miles in length. I have seen elsewhere that it was 60 miles long, but this officer put it 50. He said that the Japanese made their first onslaught on the left wing of the Russians, maintained a persistent, determined attack there, and thus attracted the chief attention of the Russians to that quarter. Meanwhile the Russians did not, could not, see Nogi with his army going around their right flank, and knew nothing of his swift, deadly approach until suddenly, while the battle fiercely raged on the left of the Russians, Nogi struck their right wing, crumpled it up, and made the beginning of the end of the greatest battle of modern times. Now, this officer declares that if the Russians had had aeroplanes such as have proved to be successful in recent weeks, this would not have occurred. An aviator in Europe recently flew more than eight consecutive hours, negotiating a distance a little in excess of 300 miles. Hoxey, a few days ago in California, went up more than 11,000 feet.

Mr. FITZGERALD. Yes; but he would not see much of the maneuvers of an army down below at that height.

Mr. COOPER of Wisconsin. He would not have to go so high nor to see anybody directly beneath him. The enemy would not need to be down below him. If he had binoculars he could look away 10 or 15 or 20 miles, could have discovered Nogi's army making its detour around the right flank of the Russians, and so possibly have changed the whole battle of Mukden—a result that to the Russians would have been worth the value of ten millions of aeroplanes. It is not necessary to get up over an army and drop bombs into it from an aeroplane in order to make the aeroplane useful. It is necessary only to soar high enough to enable the aviator to look 10, 15, 20 miles away through powerful glasses and observe what the enemy is doing.

Mr. FITZGERALD. Oh, I have not come to the discussion of that phase of their use.

Mr. COOPER of Wisconsin. That will be its great value in war.

Mr. FITZGERALD. Of course, Mr. Chairman, nobody doubts that if an army operating in a field can have accurate information as to the location of the opposing forces the entire conduct of battles would probably be changed; and there is no doubt whatever that if the topography of the country were such, where the line of battle was stretched out over 50 miles, perhaps an aeroplane rising a comparatively short distance would, without any difficulty, obtain all the information that might be desired. It would depend largely upon the topography of the country, the conditions of the weather, and many other elements, but it depends on many elements. While the opinion of many well informed is that if these devices could be adapted and utilized they would be of immense value—and I have no doubt of that—yet there is nothing to justify this extraordinary expenditure. The Isthmus where we are building the canal is only about 47 or 48 miles across, and yet but one of the professional airmen has suggested that he would attempt to cross the Isthmus in an aeroplane.

The topography of the country is such that it is an extraordinarily hazardous undertaking.

Mr. MANN. Not the topography of the country, but the lack of the money to do it.

Mr. FITZGERALD. It is not the lack of money; the money is available and a man has been there to look over the situation.

Mr. MANN. Where is the money available to cross the Isthmus of Panama?

Mr. FITZGERALD. Lots of these airmen would be delighted to go down there and charge it to their advertising account.

Mr. MANN. I will guarantee that if you offered \$20,000 or \$10,000 one would be there inside of a month.

Mr. FITZGERALD. I understand that one of these men has had one of his assistants look over the Isthmus and is going to make an attempt to cross it, and it is realized, because of the topography of the country, it will be an extremely hazardous trip. Gentlemen will recall the man who was killed in attempting to cross the Alps. I believe it is wise to provide for some aeroplanes for the Signal Corps, but to appropriate for a whole fleet it seems to me is about as unjustifiable as any suggestion that can be made.

Mr. HAY. Mr. Chairman, I heartily concur with the gentleman from New York, but it seems to me some provision ought to be made. It is useless to enter further into a discussion of it, and I move to amend the amendment of the gentleman from Illinois by inserting "\$375,000" instead of "\$500,000."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Strike out of the amendment "five hundred" and insert "three hundred and seventy-five."

Mr. HAY. And provide afterwards that \$125,000—

Mr. MANN. Will that be satisfactory to the gentleman from New York and other gentlemen of an economical turn of mind?

Mr. FITZGERALD. I think it is overgenerous, but having accomplished that much, unless the gentleman from Illinois will advocate another reduction, I will have to be content.

Mr. MANN. I was going to say a moment ago to the gentleman from New York if he would agree I would be willing to cut the amount to \$125,000, although I think it would be wiser to make the full appropriation. I am perfectly willing to let it go that way.

Mr. HELM. Mr. Chairman, this entire aeroplane proposition is an embryotic project. We are 3,000 miles from Europe, and we are 10,000 miles from Asia. Occupying this magnificent isolated position that we do, I am not the least bit alarmed by an attack by a flock of aeroplanes, either from Europe or from Asia. And, furthermore, Mr. Chairman, I do not know of any country on the globe that the United States of America wants to wage war on within the next 12 months at least, and from that point of view I do not see what need we have of even 20 aeroplanes, if we are going to battle with aeroplanes, because we could not fly there with them if we were at war. Now, it occurs to me that some gentlemen are drawing more upon their imaginations than upon their sound sense and judgment. To appropriate even \$375,000 in this time of profound peace for an instrument of supposed warfare that can hardly be termed yet a means of pleasure is puerile.

Mr. MANN. Will the gentleman yield?

Mr. HELM. Certainly.

Mr. MANN. The gentleman spoke of appropriating \$375,000. The gentleman got that impression from the amendment offered, but the proposition is to appropriate \$125,000.

Mr. HELM. I am glad the gentleman corrected me, but I think \$125,000 is a perfectly nonsensical waste of the people's money, and I am unalterably opposed to the entire proposition. Possess your souls in patience that there is no war cloud lowering over this country now, and that there is an abundance of time when, if ever there should be any occasion to use these instruments, it can be when they shall have been developed or finished to a point where they can even be used for the purpose for which you are proposing to appropriate this \$125,000. It is a useless waste of money, and I can not see how any man can come to any other conclusion. Now, if we want to pull off a mimic or mock warfare, a sham battle in the air, something spectacular with these 20 aeroplanes, vote for the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULZER. Mr. Chairman, I ask unanimous consent that his time may be extended five minutes.

Mr. HELM. One minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SULZER. I would like to ask the gentleman a question, if he will, Does not the gentleman think it would be a good thing for the United States Government to have some men in the Army trained in case of necessity to handle these aeroplanes?

Mr. HELM. We purchased one about two years ago at a cost of \$30,000. One man in the Army received a few instructions as to how it should be handled. Since then it has been in the shed, and he has no doubt forgotten what he did learn about it. Suppose that you had trained men; suppose you had 10,000 aeroplanes in their present embryonic development; let some man please tell me what you would do with them. They are admitted to be worthless for war purposes in their present stage of development. Suppose Germany has 1,000 of them; suppose France has 10,000 of them; suppose England has a million of them; how could they ever get any of them over here? There is only one man yet that has tackled the Atlantic Ocean in the air, and that is Walter Wellman. [Laughter.] He has tackled the North Pole on several occasions, and he never has gotten there, and he never will get there, but he has gotten the advertisement; and if Walter should again tackle the Atlantic Ocean he would not get a bit farther than he has already gotten. If he can not cross the ocean in an airship, who can? It has been demonstrated that of all the men in the United States who is willing to pull off stunts it is Walter. [Laughter.] He has further demonstrated that he could fly from Atlantic City to some place farther up the Jersey coast, but he never did turn that machine square out to ocean. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, England now has a number of dirigible airships and also a number of aeroplanes. The matter is under most careful consideration in that country, and provision is being made both by the Army and the Navy for dirigible airships and aeroplanes. Germany has run in the main to dirigible airships, and already has 14 of the immense Zeppelin type of dirigible airship. She had a number of aeroplanes and has a battalion of airship troops, with 500 enlisted men and a number of officers, to the extent of 30 or 40. France has 7 dirigible airships, 30 aeroplanes, and 6 companies of airship troops, with over 600 enlisted men and 30 officers. Russia has 3 dirigible airships, 6 aeroplanes, and 3 battalions of airship troops. Italy has recently made an appropriation of \$2,000,000 available for the purchase of dirigibles and aeroplanes, and the necessary working plans and working places, and so forth.

This country was the father of the aeroplane. Prof. Langley, who was Secretary of the Smithsonian Institution—and to those of you who may wonder at my position in the matter, I may say that it comes largely from the interest I have acquired in connection with being a Regent of the Smithsonian Institution—first laid down the principles on which an aeroplane might be constructed and operated. It is perfectly simple when you think of it, in the end, because we all know, when we stop to think, of the powerful force of wind. If anyone here went to St. Louis after the cyclone there and saw where the wind had cut immense brick and stone walls in two almost like a knife, they can appreciate the powerful force of air. That is the theory of the aeroplane; that the rapidity of the motion of a revolving machine striking upon the air makes the air as solid as a steel rail. Now, we not only through Prof. Langley enunciated the principles upon which an aeroplane could be constructed, but through appropriations made available there was provided the incentive for the Wright brothers to actually put an aeroplane in the air, flying under certain conditions. That attempt was successful, and when we had done this, when we had provided the most powerful and most available machine of modern times for warfare purposes, we stopped. We have no one in the Army, unless it is one officer, who can operate an aeroplane. We have no provision for the maintenance of the machine which we have and which is now old.

Other countries have taken advantage of our learning, of our skill, of our ingenuity, and are providing these machines, which will render in a few years the Brooklyn Navy Yard a place for grass to grow, and the Kentucky grass region of my friend here a place where you will cultivate, not horses, but wheat. They are interested in a way. The time is not far distant when aeroplanes, hitched together, will run in trains, and where one machine failing will not affect the rest of them. Only a few years ago the telephone came into use. What is it now? We are discussing now the aeroplane as we may imagine there could have been a discussion of the steam engine. Who knows the possibilities of this great machine? We have an ocean of air extending around the world, capable of being navigated as easily as the ocean is navigated, and I hope we have sense enough to avail ourselves of a reasonable opportunity to take advantage of it.

Mr. HULL of Iowa. I ask that all debate upon this paragraph be closed.

The CHAIRMAN. Debate is exhausted on the amendment.

Mr. HOBSON. I ask to be recognized for a few minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOBSON. Mr. Chairman, I am in favor of the amendment to make provision for developing aerial navigation in the Army. My support, however, is not based upon fantastic ideas of any revolutionary influence that the aeroplane may have upon warfare. In my day I have seen the advent of the torpedo. I remember when it first came there were ideas that naval construction would be revolutionized; that the navies of the world might as well be abandoned so far as battleships were concerned; that the torpedo was the only weapon. I have seen the torpedo develop from a very short-range, inaccurate weapon to an accurate weapon with a range to-day of between six and seven thousand yards; and I expect to see the speed of the aeroplane go up from 50 and 60 miles that it has now attained to 100, 200, and even 300 miles an hour; and I expect to see it developed as the torpedo has been developed, into a very important, and, if an auxiliary can be vital, a vital auxiliary; but I never expect to see it revolutionize warfare, either upon land or upon the sea.

Take as an illustration the effect upon the battleship. Many assumed that the day of the battleship was done. Instead,

the battleship has grown from 12,000 tons maximum displacement when the torpedo was introduced as an inaccurate short-range weapon, to 30,000 tons when the torpedo is a long-range, accurate weapon. In like manner the development of the aeroplane will not impede in the slightest the forward progress in the evolution of the battleship. The aeroplane will be a valuable auxiliary, I believe, in the shape of a scout for the battleship; but it will always have a limitation upon its offensive and defensive powers similar to the limitations upon birds as compared with animals on the ground. Can anyone conceive of a bird of the air fighting with a tiger on the land? It is inconceivable. The eagle, the greatest bird in the air, is able to strike but a paltry blow with his beak or talons. The necessity to maintain the weight of the creature in the air limits the size and weight and leaves but little energy available for offense or defense.

The eagle is very swift, but in development it can not offer any great weapon of attack or produce any encrusted scales of defense, nor evolve in size as compared with the size of the animals on the land or in the water. In the same way the aeroplane can not be expected to evolve any artillery or weapons of precision, nor any armor or other protection, except to a very limited degree. It can only utilize the force of gravity for launching projectiles of any size, and this force only operates in the vertical. Having no defense of its own and being of very fragile construction, it must keep away from the fire of artillery. To be able to reach the vertical and have a chance to drop its missile it must seek a very high altitude, and from high altitudes its weapon, propelled by gravity, becomes exceedingly inaccurate. It can not gauge the wind in direction or in strength; it can not determine the varying direction or force of the air currents below; it can not accurately gauge the vertical; it can not even tell accurately its own speed, much less the speed of the target far below; it can not carry many projectiles to make experiments. Figuratively speaking, if it is high enough to be out of range of rapid-fire artillery, it can not hit a 10-acre lot. But even suppose it did, by accident, hit a battleship, the latter would easily carry wire netting to explode the projectile high up; but even without netting the projectile would strike the superstructure and never reach the vitals of the battleship before explosion. [Applause.]

Under my permission to print I wish to add an article of mine that appeared in Popular Mechanics, issue of August, 1910.

THE AEROPLANE AND THE BATTLESHIP—POWERFUL NAVAL FIGHTING MACHINES WILL ALWAYS DETERMINE DESTINIES OF NATIONS, UNMENACED BY AERIAL CRAFT.

[By Capt. RICHMOND P. HOBSON.]

Flight as a problem can be looked upon as solved. We are now in the second stage, that of development, and are on the eve of the third stage, that of practical application.

In all ages the human race has dreamed of conquering the air. Other conquests have only intensified this, the deepest of human longings. The conquest of the land took ages and the conquest of the sea yet longer ages. In both cases progress was slow and tedious, step by step. Ballooning has been in progress of development for generations, but flight in the aeroplane is the result of a few short years at most. In one leap man has now made the conquest of the medium that envelops both land and sea, thus making complete his proud dominion over the earth.

The startling swiftness of this mighty conquest has fired the imagination of the world, and speculation has run wild as to its effect upon human life. At such times hasty conclusions in the public mind may even lead to public policies founded upon error and leading to disaster.

It is high time that authoritative and popular publications, starting from fundamental principles and following the great laws of nature from cause to effect, should get the bearings, map out the course, and point the true lines of development and the applications of the new art to activities on land and sea.

From the time when the morning stars sang together questions of combat have had the foremost interest for man as for all living things. It is in combat of some form that individuals, types, and species of plants, animals, and men have survived or perished and are now in the process of perishing or in preparation for surviving.

The law of cooperation has been invoked primarily to enlarge the powers of combat, causing families to unite into clans, clans into tribes, tribes into nations, and nations to develop. Common defense has been the cause of and primary bond of union in every nation of the world, and will be the cause of and the primary bond of union as the nations group themselves into compact races.

It has been natural and inevitable that every new invention and discovery should be adapted instantaneously to the purposes of war. Indeed, purposes of war in offense and defense have caused the chief developments of materials and power, in quality and in size, and in application to engines and structures.

It is perfectly natural, therefore, that with the sudden appearance of the aeroplane the thought of men should turn instantly to its uses in warfare and that the popular imagination should lead to startling conclusions, particularly as to naval warfare, so fascinating and so little understood.

In the popular mind modern naval warfare is correctly typified by and embodied in the great battleships. One of these mighty engines combines more power, offensive and defensive, than did whole fleets of a few years back, and the cost has gone up as high as \$12,000,000, and is still rising. It is natural that the thought of the whole world should turn to the effect of the aeroplane upon the battleship. Is it possible that one of these great costly battleships could be destroyed by one or more cheap little aeroplanes? Is the day near at hand when the aeroplane can go into combat with the battleship and have a reasonable chance to win?

The experience of nature is usually a fair guide for man. In the realm of the air nature has evolved but one main weapon, the beak, and one auxiliary weapon, the talon. An additional main weapon, the spur, has only been evolved where the feathered creature remains upon the ground. In weapons nature has found it impossible in the air to match the fang, claw, tusk, horn, and hoof of the land and the tooth, tentacle, fin, saw, and sword of the water. The great speed attainable in the air is only an auxiliary agency of offense.

In the air nature has undertaken no provision for defense direct. Feathers, primarily for sustaining power and for speed, are only auxiliary in defense. Nowhere do we find the special developments of hide, bone, shell, and inaccessibility of vitals found in combatants of land and water. The great speed of the air is defensive in the sum of aiding escape.

Of forms, there is but one combatant type in the air, that of the eagle or hawk, and the maximum size is limited to a few pounds. On land and in the sea the combatants are multiple in form and extend to tons in weight. Nowhere in the air do we find nature exhibiting the titanic combats so common between the beasts in the jungle and the great fish in the sea.

Never yet has the bird of prey been a menace to the beast of prey or the fish of prey. If actual combat took place, the outcome could be but one way. The bird could avoid combat, but choosing combat, and unable to lift the beast or fish into the air, it would of necessity be vanquished.

There must be some great principle underlying these evolutionary limitations of nature in producing combatant power in the air. It is the difficulty of sustaining any considerable weight in the air. The bulk of the activities and energies must be devoted to sustaining the bare weight involved in life itself, keeping the total weight down to a minimum, and developing the maximum energy per unit weight. Nature could find but a small margin of weight and energy available for purposes of combat. Indeed, so exacting and exhausting is the effort to sustain weight in the air that nature has not evolved a single bird that remains permanently on the wing, nor even insects or other forms of life, animal or vegetable, capable of remaining suspended in the air and propagating their species in the air, as are found so prolifically on the land and in the sea.

It is the same nature that has done its best in the air, in the sea, and on the land. It is the same man who will do his best in all three realms. He finds and will continue to find the same inherent limitations that nature found, and the presumption is that his aerial engines of combat, built under the limitations of the air, will bear about the same relations to his engines of combat on land and sea as the combatant power of birds bears to the combatant power of beast and fish. While combatant birds have a limited sphere of action against noncombatant beasts and fish, they have almost no sphere of action against combatants of land and sea.

In contrast with the limitation upon size imposed upon aeroplanes, there is not only no limit imposed upon the battleship, but there is a fundamental advantage in larger sizes both in the strategic advantage of concentration of power and in greater efficiency for each unit of weight and cost. The dead weight of the hull, broadly speaking, is like a surface, and varies with the cube of a line or dimension. The larger the vessel, the greater the proportion of total weight available for power. A single vessel of 30,000 tons can be built with the power of three vessels of 15,000 tons. Consequently, the size of the battleship has increased and will continue to increase.

It must be assumed that this expansion of size will always enable the battleship to be built to utilize any and all new engines of war. When the torpedo was invented to be used against the battleship the latter promptly absorbed it as one of its own weapons. When the torpedo boat was introduced the battleship promptly put torpedo boats on its own deck and arranged for torpedo-boat destroyers to be in attendance.

In comparing the aeroplane and the battleship it must be remembered that just in proportion as the aeroplane proves formidable will the battleship provide to carry aeroplanes on its own decks and to have aeroplane destroyers in attendance. Furthermore, the size and availability of weight will enable the battleship to be a constant, ever-ready base of operations for its own aeroplanes, aeroplane destroyers, and small dirigibles and captive balloons, whereas under the best conditions the attacking aeroplane can operate but a short length of time away from its own base. Aeroplanes in attack can only make sallies and can not follow a fleet and wait for the best conditions for attack.

The most effective work of aeroplanes will doubtless be done by those that become part of the equipment of battleships, chiefly for purposes of observation and scouting. With an understanding of these fundamental limitations imposed upon flight, whether evolved by nature or by man, we can proceed intelligently to examine the question of the attack of the aeroplane upon the battleship.

The speed of battleships may now be regarded as approaching 30 miles an hour. With the increase in size the speed will increase, but the resistance begins to absorb power more rapidly with the increase in size of the vessel. This resistance places a practical limit upon the speed of ships. No such limitation is imposed upon the speed of aeroplanes. The great speed of birds compared with speed of fish indicates nature's relative achievements. The lifting power of an inclined plane increases with the square of the speed. It may be said, roughly, that there is no limit to the speed of aeroplanes, and that there is decided advantage in increasing the lifting powers through increase of speed rather than increase of size, particularly in fighting aeroplanes.

The speed of aeroplanes may be regarded as already double the speed of battleships. We must expect it to go on up to three, four, five, six times, and even higher multiples. Consequently our first conclusion is that the aeroplane can choose or decline combat, can choose its own altitude, can choose the direction of approach, and can dash through the zone of fire with astonishing speed. To meet such conditions the battleship could have out its aeroplane scouts and destroyers, aeroplane and dirigibles, or, in cruising, its kites carried by its own speed or carried by its torpedo-boat destroyers or other auxiliaries. It could have its dirigibles out for extended scouting and hold its aeroplanes ready for launching upon a signal of alarm. At this juncture, without reference to the question under discussion, it may be noted what wonderful scouting service aeroplanes will render fleets in their regular operations in locating the enemy's fleet and establishing his strength, his course, and formation. In this kind of work there will be dashing achievements and thrilling races and encounters in the air, offering a tremendous incentive for skill and the development of details.

In case of a number of battleships operating together, as they would do in war time, the use of all the squadron or fleet auxiliary torpedo-boat destroyers, together with special captive balloons, dirigibles, and aeroplanes carried by large auxiliaries, and the fleet's flotilla of aero-

plane destroyers as scouts, would not only make the chances of surprise very small but would practically insure running the gauntlet of attack from sea and air before the aeroplane attack could reach the battleship. To have any hope of attacking the battleships proper the attacking aeroplanes would have to be in large numbers, dashing from all directions at the highest speed attainable.

Assume that the attacking aeroplanes were sent in droves and that goodly numbers got through, over and under the picket lines of the air, and escaped destruction from the fire of the outposts of the auxiliary vessels and dashed for the battleships, what would be the chances of battle?

The limitations of weight imposed on the aeroplane practically eliminate its use of weapons of precision other than those of the smallest caliber, small arms and automatic machine guns, which have no effect upon battleships, though they will be prominent in combat with air craft. The aeroplane's offensive power against battleships will be limited to missiles trailed and applied by direct contact or dropped by gravity from above. An aeroplane of high speed and power could only carry a very limited number of missiles of power. It is a question whether it could carry one missile with power enough to sink a battleship even under the most favorable conditions of explosion. To apply its missile it must reach the zenith of the battleship and pass through a zone of fire extending out 10, 15 miles or beyond from artillery of the greatest precision and power. Of course, the battleship could have special ammunition of abundance adapted to this work for all big guns up the highest caliber. The 12-inch, 13-inch, and 14-inch guns would hurl special shrapnel, each one of which would create a wide zone of destruction. No aeroplane could advance in the face of such a fire.

If fire opened at 10 miles it would take an aeroplane going at the rate of 150 miles an hour four minutes to reach the zenith, and each of even the biggest guns could make four or more shots. Of course, elevating guns and portholes would be arranged so as to permit quick, accurate elevation as high as the zenith. At the present stage of ordnance it would be easy not only to adapt all existing guns for aerial firing but to make special guns for aerial defense, guns that would maintain a constant wall of shot against which the aeroplane would have to hurl itself.

Only in approaching at high altitudes could the aeroplane have any well-founded hope of actually reaching the zenith. A low flight in which a missile could be trailed or dropped with any precision could only be possible on the assumption of a complete surprise, the absence of all precautions on the battleship, or an extraordinary condition of night, fog, or storm, permitting the aeroplane to see the battleship while itself unseen and unheard, conditions that must be regarded as accidental. At dusk and at night the ship has the advantage of vision.

On the other hand, if the aeroplane approached at high altitudes, her offensive power would practically disappear, for with the small number of trials the chances of hitting are practically negligible, depending on the exact determination of the vertical, exact determination of the altitude, exact estimate of distances on the earth, accurate knowledge of the speed of the aeroplane, not through the air, but relatively to the earth, accurate allowance for this unknown speed, accurate allowance for the retardation of the particular form and weight of missile in passing laterally through air varying in density, accurate allowance for the deflection of unknown and variable air currents below, and accurate allowance for the unknown speed of the battleship in its undetermined course, relative to the course of the aeroplane. Suppose the aeroplane were flying at the rate of 70 miles an hour, or 100 feet per second, and dropped its missile from 2,500 feet, the missile would advance 1,250 feet, more than twice the length of the largest battleship. A hit would be an accident.

Examination thus shows that in practice the offensive power of the aeroplane, except against air craft, is almost negligible as against the whole, titanic battery power of the battleship. It must be further remembered that a battleship within its own resources can avail itself of the use of aeroplane destroyers, and also captive balloons and dirigibles with developed powers of offense against aeroplanes.

The limitations of weight practically deny to aeroplanes the development of defensive power through materials of resistance, and entails a comparatively fragile construction with little recourse to the use of parts in cases of damage. Being heavier than the medium in which it travels, it becomes helpless with any serious derangement of the power to create movement. With any aeroplane, the sustained speed has comparatively narrow limits, and descent becomes necessary when the speed drops below a limit that is comparatively high, especially with high-powered planes built for high speeds. Furthermore, even slight derangements in the mechanism of control or in the symmetry and balance of the plane or planes necessitates descent. Any considerable repair work in the air is practically impossible. Thus the aeroplane is now and must remain a most fragile implement, without any power of defense, subject to fatal derangement by even the smallest missiles that can be hurled with precision by thousands and tens of thousands in destroying clouds from a battleship. The only defense of the aeroplane is its great speed, but even here a battleship properly equipped for the purpose, can interpose in front of it a destructive dust of missiles.

It is not necessary to detail the great defensive elements of the battleship structure, even in its present construction. It will be found difficult, if not impossible, to sink or destroy a modern battleship by a single blow, even below the water line, except in case of the most powerful mine explosion. How can it be expected to destroy such a vessel by a single blow from the air? Of course the aeroplane's missile will be of sensitive explosive of highest power, dynamite or explosive gelatine at the present time. It could not be hoped to have such a missile pass through the superstructure and upper decks and reach the protective deck before explosion. Any claim of armor penetration is out of the question.

Even if it did pierce one of the protective decks, it is hardly conceivable that the ship would be destroyed by a single explosion of any missile limited by the weight an aeroplane could adopt, for the ship's vitals are in multiple units and the structure is such that damage is localized. The luckiest missile from an aeroplane would be one that missed the ship, but fell close by and exploded under water and produced a disrupting mine effect to crush in the lower underwater structure. In this way, the target for the aeroplane is increased by a wall of water around the ship. If the aeroplane drops a charge of 100 pounds of dynamite or explosive gelatine, the width of this wall may be regarded as about 20 feet, assuming that the pressure required to disrupt the structure is 5,000 pounds or more per square inch.

Already the sides and bottom compartments of battleships are built to cushion and localize the blow from torpedoes and mines, when the weight of explosion will far exceed the weight practicable in aeroplanes.

Structurally, the battleship embodies now great defensive power in the use of armor and arrangement of construction, expected to withstand without vital injury scores of blows as heavy as those the aeroplane can hope to strike. In addition, it can readily adopt new applications of armor and construction, if needed, against missiles dropped from above. It is readily seen how wire nettings could be carried high up, at two or more heights, capable of exploding, if not of stopping, missiles dropped from above, the lower net being designed to catch fragments. Indeed, with adaptations, special captive balloons could maintain such a net high in the air, and at the same time employ small weapons against approaching aeroplanes. It is easily seen how, in firing at the aeroplane, the missiles mounting to the zenith in large numbers would tend to explode any missile dropped with accuracy. Indeed, special guns and ammunition could be devised to keep a shower of missiles constantly ascending to cover the zenith in the same way that a cloud of missiles could be kept in front of an aeroplane.

The battleship's speed is a source of substantial protection in reducing the accuracy of missiles operated only by gravity, and this speed is easily made variable in both direction and velocity when aeroplanes are approaching. At night and in the gloaming the searchlights from torpedo-boat destroyers and other auxiliaries, sweeping the heavens and resting on the aeroplane or aeroplanes, would interfere with the latter locating battleships with lights screened until the guns of the ships opened up with a pour of annihilation.

The limited offensive power of the aeroplane contributes almost nothing in the way of defense, while the whole battery of power of the battleship is a direct factor of defense in preventing the aeroplane from reaching the zenith. It must also be remembered that in defense, as in offense, the battleship can command the services of air craft, aeroplane destroyers, dirigibles, and captive balloons.

CONCLUSIONS.

1. The presumption drawn from nature is borne out by careful investigation. Allowing for all possible developments, the inherent limitations upon the combatant power of birds will always be imposed upon aeroplanes. An eagle can not fight a lion; neither can an aeroplane fight a battleship.

2. Having no limitation upon its size and weight, a battleship can always be produced with power to utilize aeroplanes and also dirigibles and captive balloons. It is to be assumed that as a torpedo-boat defense is thrown out against torpedo-boat attack, air-craft defense will be thrown out against aeroplane attack. The latter is the simpler, for while a torpedo can be launched with some precision from any direction, an aeroplane must reach the battleship zenith before it can drop its missile.

3. The one matchless quality of the aeroplane is speed. Future speeds will exceed anything now dreamed of. However, so many combatant necessities have to be sacrificed for this speed that the latter, as in the case of birds, avails but little for combat, except in the air. In fact, the very speed of flight entails a heavy loss of accuracy in firing or dropping missiles. Great superiority in speed, however, does give the aeroplane the power to accept or decline combat. The probability is that this power will be used in practice chiefly to decline when a battleship's zone of fire approaches.

4. The offensive power of the aeroplane against the battleship is very small. Unable to carry weapons of precision and ammunition, its only weapon is a package of explosive propelled by gravity. To fire at all it must reach a particular line of bearing, the zenith of the battleship. To reach this it must pass through the zone of fire. At a low altitude the defenseless aeroplane would almost certainly be annihilated; at a high altitude there would be very little chance of hitting the battleship, for then the error of dropping from a moving object upon a moving object is very great, nor could the aeroplane maneuver and make many trials to correct error or drop a stream of shots in succession when it employs missiles of low power, incapable of inflicting serious damage.

The defensive power of the aeroplane is practically nothing. Delicate, complicated, fragile, without means of repairing damage, serious and fatal injury can be inflicted upon it by projectiles of comparatively small size, which can be hurled literally in clouds from the guns of the battleship.

5. The offensive power of the battleship against the aeroplane is enormous. All of its present guns can be adapted to aerial firing and special guns mounted. If the offensive powers of the battleship against the aeroplane are carefully developed there is no doubt that they can be made literally annihilating.

The defensive power of the battleship is likewise enormous. With special fittings or equipment a battleship could explode a missile high above its decks, but even if an aeroplane did reach the zenith and drop a missile accurately and it was not caught by a netting or exploded, having no penetrating power, it could not pass the first protective deck, and its blow, under the most favorable circumstances possible, would be localized.

6. With the defensive power of the aeroplane very small against the great defensive power of the battleship, and with the offensive power of the battleship to annihilate, there can be no real combat between the two.

The aeroplane has come, like the torpedo and the submarine, but the battleship remains and will continue to remain king and will continue to grow in size and power, and will continue to determine the control of the sea and the issues of war and the rise and fall of nations and races.

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. HILL. I would like to have the amendment again reported.

Mr. MANN. I ask unanimous consent, then, to make a simple explanation, because reporting the amendment will not make it plain.

Mr. HILL. I understand the amendment to the amendment originally was \$250,000 and that it is now to authorize an expenditure of \$125,000.

Mr. MANN. The amendment is an amendment under the head of Signal Service of the Army, a general appropriation for various purposes, which carries in the bill \$250,000 for aeroplanes and their maintenance, already inserted in the provision. My amendment increases the amount from \$250,000 to \$500,000. The amendment of the gentleman from Virginia is

to make the amount \$375,000, and if that is agreed to, I propose to offer an amendment which will practically make \$125,000 available for that purpose, or make it available for no other purpose.

Mr. FITZGERALD. Do I understand the gentleman to accept the amendment of the gentleman from Virginia?

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Virginia.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs upon the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. MANN. Mr. Speaker, I offer a further amendment, to come in at the end of line 22, on page 5, to strike out the period and insert a colon, and then insert what I have sent to the desk.

The Clerk read as follows:

After the word "dollars," in line 22, page 5, strike out the period and insert a colon and the following:

"Provided, however, That not more than \$250,000 of said amount shall be used for any purpose except the purchase, maintenance, and repair of aeroplanes."

Mr. MANN. That limits the amount which might be used for other purposes to the original amount of the bill.

Mr. HULL of Iowa. Yes; but they could put it all into aeroplanes if they wanted to, under that amendment.

Mr. MANN. Yes.

Mr. HULL of Iowa. Why not provide that \$125,000 shall be expended for aeroplanes?

Mr. MANN. My understanding is that the \$250,000 already carried in this item is needed for the other purposes, and that out of that \$250,000 they could not in fact expend any of the money for aeroplanes.

Mr. HULL of Iowa. All right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. HULL of Iowa. I move that the committee do now rise and report the bill to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BENNET of New York, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 31237, the Army appropriation bill, and had directed him to report the same to the House with sundry amendments and with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote asked on any amendment? If not, the vote will be taken on the amendments in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. HULL of Iowa, a motion to reconsider the last vote was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. SCOTT, from the Committee on Agriculture, reported a bill (H. R. 31596) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1912, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 1928), ordered to be printed.

Mr. FITZGERALD. I reserve all points of order.

Mr. MANN. I reserve all points of order on the bill.

The SPEAKER. The gentleman from New York and the gentleman from Illinois each reserve all points of order on the bill.

JOHN H. WILLIS.

The SPEAKER laid before the House the bill (H. R. 18540) for the relief of John H. Willis, with a Senate amendment.

The Senate amendment was read.

Mr. HOLLINGSWORTH. I move to concur in the Senate amendment.

The motion was agreed to.

JOHN R. KISSINGER.

The SPEAKER laid before the House the bill (S. 7252) granting an annuity to John R. Kissinger, with House amendments disagreed to by the Senate.

Mr. HULL of Iowa. I move that the House insist on its amendments, and agree to the conference asked for by the Senate.

The motion was agreed to; and the Speaker announced as conferees on the part of the House Mr. PRINCE, Mr. YOUNG of Michigan, and Mr. HAY.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 7635. An act authorizing the President to drop officers from the rolls of the Army under certain conditions; and

S. 1997. An act to limit and fix the compensation of the appraiser of merchandise at the port of San Francisco.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 5015. An act for the relief of Clarence Frederick Chapman, United States Navy;

H. R. 23081. An act for the relief of the family of Samuele Badolato; and

H. R. 24291. An act for the relief of Cooper Walker.

FOURTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

The SPEAKER laid before the House the following message from the President of the United States (S. Doc. No. 744), which was read, and, with accompanying papers, referred to the Committee on Foreign Affairs and ordered printed.

To the Senate and the House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing a report, with accompanying papers, of the delegates of the United States to the Fourth International Conference of American States, held at the city of Buenos Aires from July 12 to August 30, 1910.

WM. H. TAFT.

THE WHITE HOUSE, January 16, 1911.

PANAMA RAILROAD CO.

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 743), which was read, and, with accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered printed.

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the Sixty-first Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1910.

WM. H. TAFT.

THE WHITE HOUSE, January 16, 1911.

WITHDRAWAL OF PAPERS.

Mr. BORLAND, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of William Morrison, Forty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. MURDOCK, by unanimous consent, was given leave of absence for one week, on account of sickness.

POST OFFICE APPROPRIATION BILL.

Mr. WEEKS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 31539) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1912, and for other purposes. And pending that I ask unanimous consent that two hours be granted for general debate, and that additional time may be granted to members of the committee who shall wish to discuss the bill.

The SPEAKER. The gentleman from Massachusetts moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill, and pending that asks unanimous consent that two hours be agreed upon for general debate, one-half to be controlled by himself and one-half by the gentleman from Tennessee, Mr. MOON. Is there objection?

Mr. MANN. Reserving the right to object, I will say that this is an unusual and queer form of request and puts upon it no limit of time.

Mr. WEEKS. There are two members of the committee who have asked the leader of the minority on the committee and myself for time to consider the bill. They are not here; they ask for one-half hour apiece. They may wish to use that time,

and as they are members of the committee I think they ought to be given that time when the bill is being read or at some other time during its consideration.

Mr. MANN. What is the outside amount of time that the gentlemen want to spend in general debate?

Mr. WEEKS. As far as I am informed, one hour additional to the time which the gentleman from Tennessee and the chairman of the committee will take in reply to interrogatories. That will be sufficient in addition to the two hours.

Mr. MANN. Why not make a request that general debate be limited to so many hours, and that an hour or an hour and a half of it may be consumed during the consideration of the bill under the five-minute rule?

Mr. WEEKS. I have no objection to asking for four hours' general debate, one-half to be controlled by myself and one-half by the gentleman from Tennessee [Mr. MOON].

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The motion of Mr. WEEKS was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. STEVENS of Minnesota in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

Mr. WEEKS. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. WEEKS. Mr. Chairman, I ask that the gentleman from Tennessee [Mr. MOON] use some of his time.

Mr. MOON of Tennessee. Mr. Chairman, I do not intend to discuss this bill at this time nor at any time under general debate. I may have some observations to make when we reach certain paragraphs of the bill and reserve some points of order on the new provisions in the bill. I desire to yield to the gentleman from New York [Mr. SULZER] 15 minutes.

Mr. SULZER. Mr. Chairman, popular sentiment has now crystallized in a genuine demand for legislation in favor of a parcels post throughout the country. I believe the people generally favor it, and I feel confident its establishment will be of inestimable benefit and incalculable advantage to all concerned. The post office is one of the oldest of governmental institutions, an agency established by the earliest civilizations, and from the dawn of its inauguration the only limit upon the service has been the capacity of existing transport machinery.

The parcels post, once established with reasonable rates, regardless of distance, regardless of the character of the matter transported, and regardless of the volume of the patron's business, is eminently fitted for great service to the people. That it should be extended over the entire field of postal transportation is absolutely certain; and the people will duly appreciate the aid of those who assist in its extension and development. As far back as 1837, Rowland Hill, of England, promulgated to the world the law that once a public transport service is in operation, the cost of its use is regardless the distance traversed upon the moving machinery by any unit of traffic within its capacity, and upon this law he established the English penny-letter post of 1839. The idea of charging higher postage on a letter or a parcel on account of the greater distance it travels is an absurdity.

It is not a matter of inference, but a matter of fact—

said Rowland Hill—

that the expense of a post office is practically the same whether a letter is going from London to a village 11 miles distant or to Edinburgh, 397 miles. An average rate that will, in the aggregate, defray the whole cost of transportation on the short routes will, in the aggregate, defray the whole cost of transportation for the whole service.

As to the effect of a system of uniform rates on the public welfare, Judge Cooley, the first chairman of the Interstate Commerce Commission, speaking of the uniform rate on milk transported by rail to New York in 1888, when the uniform rate covered distances up to 220 miles, said of the system:

It has served the people well. It tends to promote consumption and to stimulate production. It is not apparent that any other system could be devised that would present results equally useful or more just. It is, upon the whole, the best system that could be devised for the general good of all engaged in the traffic.

In his great work, *The Economic Theory of Railway Location*, Arthur M. Wellington says:

As a matter of purely public policy—that is to say, if the interests of the railways were identical with the interests of the community as a whole—railway rates should be the same for all distances.

The cursus publicus of Rome—the post office of the imperial Caesars—covered the entire business of transportation and transmission, and with its splendid post roads, swift post horses, and post wagons the Roman post office was a mechanism far wider in its scope than that of our modern post office; and except for the use of mechanical power, the old Roman post was far more efficient in its service than is our own post office in the service of the American citizen.

The evil of the Roman post and of the royal postal service that succeeded it was their restriction to the enrichment of the ruling powers. They were the prototypes of our modern railway and express companies, which have for their chief end the enrichment of their owners rather than the promotion of the public welfare. In this country the citizen owns the post office and wants to use it as his transportation company. Its end is to keep him informed as to what is going on at the centers of public business, to provide means by which he may communicate with his fellow citizens for their mutual benefit, to supply his wants and dispose of his wares at the least possible cost, in the shortest possible time, and with the greatest possible security.

Unhappily, the post office, whether at home or abroad, has been from the beginning little more than a taxing machine, a contrivance to make money, and do as little for the people as possible. In England it was at times farmed out to the speculator, or charged with the support of a royal favorite. For its profits only was it regarded and not for its agency in the concerns of life. In other respects it was not unlike the Government, simply a usurpation for the benefit of a few. All this is much changed now, for the people know that government is instituted for the general good of all.

Instead of a taxing machine, a contrivance for making money, the post office should be an agency for good, reaching out its multitudinous hands with help and comfort into all the homes in our widespread land. Without the post office where would be that national unity, with its guaranty of equal rights to all, which is the glory of the sisterhood of States?

The parcels-post system was inaugurated in England largely through the efforts of the great commoner, William E. Gladstone. Near the close of his life he made the following statement about it:

The parcels post is the most important institution which has been created in the last 50 years for the welfare of the people. I consider the act which called the institution into existence as the most useful and fruitful of my long career.

Charles Sumner, of Massachusetts, on the 10th of June, 1870, urged the Senate, of which he was a Member, to take a great step in behalf of a wider economic liberty by the establishment of a parcels post and cheaper postal facilities, and this is his language:

Not to make money, but to promote the welfare of the people and to increase the happiness of all, such is the precious object I would propose, and here I ask no such question as "Will it pay?" It may not pay in revenue at once, but it will pay in what is above price.

So, sir, if there is any lesson to be drawn from these statements it is that if this Congress has at heart the welfare of the people, especially our farmers and those living in our smaller communities; if it desires to bring new life to abandoned farms and decadent towns; if it would make it possible for small towns and small dealers to live; then it will at this session of Congress extend the parcels-post service to the widest possible limits.

It is because I realize these truths so keenly that I am so persistent in urging favorable consideration of my bill for a parcels post. Its only fault, in my opinion, is its conservatism. What this country now needs, what Congress should give it, is a parcels post covering much of the business of public transportation. And so, imbued with these views and conscious of the desires of the people, I prepared and introduced in Congress a bill to inaugurate a parcels post. It is a short bill, and I send it to the Clerk's desk and ask to have it read in my time, as a part of my remarks.

The Clerk read as follows:

A bill (by Mr. SULZER; H. R. 26581) to reduce postal rates, to improve the postal service, and to increase postal revenues.

Be it enacted, etc., That the common weight limit of the domestic postal service of the United States is hereby increased to 11 pounds, the common limit of the Universal Postal Union, and that in the general business of the post office the 1-cent an ounce rate on general merchandise—fourth-class mail matter—be, and is hereby, reduced to the third-class rate, 1 cent for each 2 ounces or fraction thereof.

SEC. 2. That the rate on local letters or sealed parcels posted for delivery within the free-delivery services is hereby determined at 2 cents on parcels up to 4 ounces, 1 cent on each additional 2 ounces; at nondelivery offices, 1 cent for each 2 ounces.

SEC. 3. That all mail matter collected and delivered within the different rural routes of the United States is hereby determined to be in one class, with rates, door to door, between the different houses and places of business and the post office or post offices on each route, as

follows: On parcels up to one-twenty-fourth of a cubic foot, or 1 by 6 by 12 inches, in dimensions and up to 1 pound in weight, 1 cent; on larger parcels up to one-half a cubic foot, or 6 by 12 by 12 inches in dimensions, and up to 11 pounds in weight, 5 cents; on larger parcels up to 1 cubic foot, 6 by 12 by 24 inches in dimensions and up to 25 pounds in weight, 10 cents. No parcels shall be over 6 feet in length, and in no case shall a carrier be obliged to transport a load of over 500 pounds.

SEC. 4. That on all unregistered prepaid mail matter without declared value an indemnity up to \$10 shall be paid by the Post Office Department for such actual loss or damage as may occur through the fault of the postal service, and this without extra charge. Certificates of posting shall be provided on demand. On registered parcels of declared value, and on which the fee for registration, insurance, and postage has been duly prepaid, the Post Office Department shall pay the full value of any direct loss or damage that may occur through the fault of the postal service. The fees for insurance and registration shall be as follows: For registration and insurance up to \$50, 10 cents; for each additional \$50, 2 cents. No claim for compensation will be admitted if not presented within one year after the parcel is posted.

SEC. 5. That all acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 6. That this act shall take effect six months from and after the date of approval thereof.

Mr. SULZER. Mr. Chairman, the bill speaks for itself, and is demanded by the people. It needs no apologies or explanations. In April last representatives of at least 10,000,000 American voters, including the great agricultural associations of the country—National Grange, the Farmers' Union, Retail Dry Goods Association of New York, labor organizations, the Associated Retailers of St. Louis, the Manufacturing Perfumers of the United States, the American Florist Association, and many others—appeared before the House Postal Committee, demanding a general parcels post as extended and as cheap as that provided by the Postmaster General in our foreign postal service. The argument in behalf of this legislation showed that the public wanted an 11-pound service at least; that the rate should not exceed 8 cents a pound. Seldom, if ever, has any proposition received a stronger public support, and it seemed as if the House Committee on Post Offices would be obliged to report at least some legislation back to the Congress for its consideration. But nothing was done. I have renewed the fight in this session of Congress. If I can get the people to help me I firmly believe my bill can be reported and passed ere this session adjourns.

If the powers arraigned against the post office continue their efforts to limit its functions in behalf of private interests they will soon find themselves confronted with a Congress pledged to extend the service of the post office to a much larger degree of the public transmission business, and hence I think it wise that my bill should now be brought before the House for immediate consideration. I notify those in opposition to this just legislation to take warning in time.

The neglect of the United States Government to establish a proper parcels post has so far limited the easy exchange of commodities and merchandise between the producer and the consumer that it is making our Government appear away behind the times as compared with foreign nations, such, for instance, as England, France, and Germany. It is a fact to-day that an American in Europe can send home by mail to any part of the United States a parcel weighing two and one-half times more than the United States limit for about one-third less in cost than the present home rates. In other words, the world postal union package unit is 11 pounds to the parcel, at the rate of 12 cents per pound, whereas the United States unit is only 4 pounds to the package and at a cost of 16 cents to the pound. The parcel rate in the United States prior to 1874 was 8 cents per pound for a package limited to a weight of 4 pounds. After that the rate was doubled, but the weight remained the same. Who did this? For whose benefit was it done? Look up the records and judge for yourself. Since 1874 the cost of transportation has greatly decreased. The question is, Why should not the people be given the benefit of this decrease by the establishment of a uniform low postal rate for parcels that will encourage the use of the post office as a medium of exchange of commodities between producer and consumer and thus greatly facilitate trade and lessen the cost of the necessities of life?

As Puck recently said:

The post office used to be in the package-carrying business; in fact, it once had a monopoly of it. Indeed, unless our understanding of the matter is badly muddled, it still has something of an exclusive right to transport "packages." The express companies, however, are privileged to carry "packages," thus invading legally the constitutional field of the post office. Packet is an old-time word for package. A packet is a package and a package is a packet, according to the first principles of horse sense.

This logic can not be challenged successfully, and yet the express companies have the audacity to claim that they should have a monopoly of the parcels-carrying business. The absurdity of the whole proposition must appeal to the victimized producers and consumers of the country.

Since the introduction of the rural free-delivery system in this country its operation has proved so satisfactory and so successful that Congress overlooks the annual deficit arising from the unreasonable restriction placed in the law limiting the kind of postal matter to be carried to letters, newspapers, and periodicals. The weight of the average load is ascertained to be but 25 pounds per trip, while the vehicle which the postal agent is required to supply can readily carry at least 250 pounds. It is estimated that should the restriction be removed and parcels be carried enough revenue would be received from the additional postage to more than pay the cost of the system, and not only make it self-supporting, but entirely wipe out the annual postal deficit.

Besides, the establishment of a parcels post would to a very large extent cheapen the cost of the necessities of life, go far to lighten the burdens of the average family, and make living less a struggle for existence.

In this connection, I am informed that our failure to provide a parcels post is causing the Post Office Department a needless loss of \$50,000,000 a year and to the public a loss of hundreds of millions, while at the same time we enrich the express companies and deprive the carriers of an opportunity to earn a reasonable living.

There is no reason in the world why the people of the United States should be deprived of the advantages of this benign legislation, that will bring producers and consumers in closer touch and be of inestimable benefit to all the people, especially those who dwell in the large cities and live in the producing sections of the country. It has been adopted in every European country, and it ought to be adopted here. We have either made or are making postal conventions with the countries of the world, by which their citizens can send through the mails to any part of the United States packages weighing 11 pounds at the universal postal rate, and the people of the United States are prohibited from doing the same thing because of our failure to enact a similar postal parcels law. It is a great injustice to the taxpayers of this country. It is a discrimination in favor of the foreigner against the citizen of the United States which is repugnant to my sense of justice. I am opposed to this inequality, and in order to obviate it I introduced my bill. The Postal Progress League has indorsed it, and the representatives of over 10,000,000 taxpayers of this country appeared before the committee and urged its enactment. Why should it sleep in committee?

My bill, Mr. Chairman, is for a general parcels post. It applies to all parts of the country and would benefit all the people. A law similar to my bill is now in force in all countries which participated in the Universal Postal Convention save China and the United States. It should be the law here. One of the ablest men in this country on this subject matter is Mr. P. V. De Graw, the popular Fourth Assistant Postmaster General. He has carefully investigated this whole question and knows as much about it, in my judgment, as any man in America. If the Members of the House will confer with him, they will no longer have doubts as to whether or not a general parcels post is wanted by the people.

There is but little genuine opposition, so far as I can find out, to a general parcels post. Then why should it not be law? The people want to know, and they believe the only real opposition comes from the express companies, the jobbers, and the trusts. Mr. John Wanamaker, when he was Postmaster General, advocated this legislation and thoroughly discussed the subject, and I would commend to the membership of the House Gen. Wanamaker's reports and recommendations.

Many retail merchants have been led to believe by those with axes to grind that any change whatever in our parcels-post system will visit instant disaster upon the legitimate business of the country. This is not true, and those most interested in making it appear so know it to be absolutely false.

The time is now at hand for Congress to heed the insistent demand of the people for an extended parcels post along the lines of my bill, the express companies, the trusts, the jobbers, and others to the contrary notwithstanding.

The citizens of the United States are certainly entitled to utilize the advantages of their own post-office system the same as the people in Europe now do, and they would gladly do so if the Congress would only enact a law, and to this end I appeal to all patriotic citizens to lend a helping hand to pass my bill.

The demand for a parcels post is growing more insistent. It will not down, no matter what the express companies, the mail-order houses, the trusts, the fourth-class postmasters, the jobbers, or a few misguided country merchants may say to the contrary. The absurdity of being able to send a parcel to almost any part of the world at a less rate than the same parcel

can be sent from one town to another is so great that the people will ere long get tired of a Congress which can not see the way clear to correct the discrimination and remedy the injustice by enacting a sensible parcels-post law.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SULZER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and print in connection therewith a recent editorial published in the Philadelphia Item.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The editorial follows:

A PARCELS POST.

[By John T. Batchelor, Atlantic City, N. J.]

PHILADELPHIA, PA., January 22, 1911.

Congressman WILLIAM SULZER, in the Editorial Review, splendidly deals with the question of a parcels post. If this question were submitted by a referendum to the general public there is no doubt whatever that more than 99 per cent of all the people would vote to have the privilege of sending packages by mail at costs not in excess of those in Germany and Europe.

The advantages of such a privilege to all the people, and to retail stores, and to those who are debarred from sending goods to friends, etc., by present high costs, is beyond calculation.

Intercommunication between the people in the shipment of packages is next door to intercommunication of thought and personality. Both methods should be reduced in costs and opportunity to the lowest possible limits.

Mr. SULZER quotes a railway expert as saying that the one thing that had done more than all others for the development of this country was the custom of railways, in their through traffic, to group large districts of territory with a uniform rate, regardless of distances. It was this that had made possible the wonderful growth of agriculture in the West and of manufactures in the East.

That last is a gigantic fact, which is greatly to the credit of our railway system, and is in itself one of the biggest reasons why the railways, acting on their own initiative, have benefited the whole people more than those restrictions about a long-and-short-haul clause made by Government agents.

This matter of regulating costs of carriage to an increase of the quantity of freight carried is one that may not be governed by any long-or-short-haul regulations. Railways themselves are better judges of such matters than any Government commission.

And the point just made is the keynote to a parcels-post system, delivering goods or packages all over the country at a uniform cost to everybody, as distinguished from our present package system of increasing the cost with the distance.

Mr. SULZER introduced a brief bill in Congress which substantially follows the recommendations of the Universal Postal Union, and has been adopted in most European countries.

He draws attention to the English Post-American Express arrangement, in that English postal parcels now come to the United States as follows: Three pounds for 60 cents, 7 pounds for 84 cents, 11 pounds for \$1.08, and the express companies transport these parcels from New York City at a common rate for the whole country of 24 cents a parcel.

At the same time our express companies charge for domestic packages of the same weights from 25 cents to \$3.20, according to the distance.

Last April the representatives of 10,000,000 American voters, including the great agricultural associations, the National Grange, the Farmers' Union, the Farmers' National Congress, the Retail Dry Goods Association of New York, the Associated Retailers of St. Louis, the Manufacturing Perfumers of the United States, the American Florist Association, and others, appeared before the House Postal Committee in favor of Mr. SULZER's bill, and demanded a parcels post as extended and as cheap as that provided by the Postmaster General in our foreign postal service.

Seldom, if ever, has any proposition received a stronger support, and it seemed as if the House Committee on Post Offices would be obliged to report back to the House for consideration at least some legislation. But nothing was done. So in this session Mr. SULZER renews the fight, and he says if he can get the people to help him and back him up, he believes that his present bill can be reported and be passed ere this session adjourns.

So it now rests with the people to make their wants known in this matter.

The neglect of the United States to establish a proper parcels post has so far limited the easy exchange of merchandise between manufacturers and consumers that it is making our Government appear away behind the times as compared with some foreign nations, such as England, France, and Germany.

England now sends by mail to any part of the United States a parcel weighing two and one-half times more than the present United States limit for about one-third the cost of our present home rates.

The question is, as Mr. SULZER well says, why should not our people be given the benefit of this decrease by the establishment of a uniform low postal rate for parcels that will encourage the use of the post office as a medium of exchange of commodities, and thus greatly facilitate trade?

The people can easily win this fight, if they will take the trouble to write to their newspapers to favor this bill and to their Representatives in Congress to vote for it. The people of the United States are certainly entitled to utilize the advantages of their own post-office system in an equal degree with that of Europe, and they would gladly do so if Congress would enact the law, and to this end Congressman SULZER appeals to all patriotic citizens to lend a helping hand.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, the good of the Union and the efficiency of our Government service is at stake with a problem that has been agitating the Members and committees of this House for years, and which is growing more acute every day. One of the committees, that on the Reform of the Civil Service,

has been considering the subject for several years, and a number of bills are even now pending with a view to a settlement of it; but nothing has yet been done, even though the delay is proving more injurious daily to the public business. As the letter carriers, clerks, and the other employees of the Post Office Department are vitally interested in this matter, the present is an opportune time for some observations on this important subject.

The problem I refer to is the superannuation of faithful Government employees, and in the hope of inducing the House to take some action on it during the remaining days of this session, I wish to bring it to the attention of the Members at this time. My bill of last session, No. 22776, has been revised and again introduced in this session, No. 30140; it is now pending in the Committee on Reform of the Civil Service, but at the proper time I shall ask the House to substitute it for that of the distinguished chairman of the committee, Mr. GILLET. At present I am anxious to present some facts and figures showing the urgency of the problem, in order to convince the House of the desirability of an immediate settlement of it.

This matter of pensions for superannuated civil employees is by no means a new topic. Pensions themselves are probably as old as civilization; perhaps they may have started in the days when one people or nation paid annual tribute to another, or to its ruler, for protection or for services rendered or for other good and sufficient reasons. But they certainly did start when a nation or people recognized faithful and valuable services, and gladly paid the reward in tributes and gifts and annual remembrances.

It may not always have been a gift of money; grateful governments have bestowed other valuable gifts as a memorial of services rendered or expected, and we have many peculiar survivals in England and the continental countries of such annuities and pensions which have persisted down to the present day. Whenever a new poet laureate is elevated in England the whole world discusses the ancient perquisites of the office—certain yearly measures of wine or meal originally bestowed in reward for a flattering ode on a receptive ruler.

But at the present time pensions are so universal that it is idle to speculate on their origin, and it would be a gigantic task to enumerate them all. Confining ourselves to our own land for the time being, it would suffice to point to the Federal pension system by which the Government has fittingly rewarded the volunteer soldiers who fought for it in the hour of peril and rebellion; this system has been in force almost since the foundation of the Government, and has bestowed on the volunteer soldiers of every war of the Nation the substantial thanks of the people. This system may be criticized occasionally for its enormous cost, but not the harshest critic would think of abolishing it, since there can be no denying the value of the services rendered, a judgment confirmed by the unanimous sentiment of the entire country.

State governments have done their share in rewarding old soldiers and their dependents, as well as in rewarding many other classes of public officials and employees. Cities and towns have gone further, and are pensioning their peace officers, policemen, firemen, and other guardians of their lives and property; and even school-teachers, the educators and trainers of the children, are not forgotten, and they should not be. A community which does not take care of its public servants in this way is almost considered reactionary in these bustling times, and rightly, too.

Nothing in my public career gave me more pleasure than the share I contributed to establishing pensions for our public-school teachers in New York City; it was not the most perfect system at the time, but it was a start in the right direction, and it has grown into a very creditable institution, showing the gratitude of the great city of New York.

Besides our school-teachers, the Empire City also takes care of its policemen and firemen; and a strong agitation is being made in favor of a pension system for all the civil-service employees of the city and State, a bill prepared by the State association being ready for introduction in the new legislature.

In addition to pensions for civil servants of all classes, as a reward for length and faithfulness of service, many of the European Governments, as well as several of our own States, are considering the enactment of general old-age pensions. England already has an old-age pension in force, and is considering the advisability of broadening it so as to apply to every subject of the Kingdom. Without discussing the entire body of economic reasons upon which these pensions are based, it is sufficient to say now that the Governments recognize that something has been contributed to the general welfare of the Nation by every active resident or citizen or subject, unless he is of the criminal

or abnormal classes; and that unless this is recognized and rewarded there will be a great handicap on the efficiency of the rising generations in taking care of the old and infirm of the preceding ones. The Governments should therefore provide for these superannuated ones, and leave the active generations free to become useful members of their communities.

The problem, as it faces our National Government, is a very serious one, for it is admitted by all students of the subject that unless some kind of a pension system is adopted the public service will be crippled through inefficiency, due to the number of superannuated employees who can not afford to leave the service and whose pay has never been sufficient to provide for more than a living. There is no better authority on the subject than Gen. F. C. Ainsworth, The Adjutant General, who has been in charge of civilian employees in the War Department for many years. His careful study of the subject and his warning as to the danger to the service for want of a pension system was summed up in some remarks of his before the Committee on Reform in the Civil Service, and they are so pertinent to the subject in hand that I can not help but again quote from these remarks of his:

PENSIONS FOR OLD CIVIL SERVANTS.

[Statement of Gen. Ainsworth.]

The superannuation of employees in the civil service is a subject to which I have been compelled to give much thought for many years—over seventeen—by reason of having been continuously in charge of a very large number of civilian employees of the War Department during that period. The problems arising in connection with that subject are very difficult, and, while I think I have thus far been able to solve them in my own bureau in accordance with the best interest of the public service, if not entirely to my own satisfaction, I regret to say that I have been unable to formulate a general plan which, if authoritatively adopted for the whole civil service, is at all likely to be enforced in such a way as to materially change existing conditions.

It goes without saying that whenever an employee of the civil establishment, by reason of age or any other cause, becomes unable to render a reasonable return in service for the salary paid him it is the plain duty of his bureau chief and the head of his department to cause his reduction in grade or his discharge from service. But it is difficult to bring one's self to recommend or order the reduction or dismissal in his old age of an employee who has rendered many years of faithful and efficient service, who probably has no means of support other than his salary, and with whom no fault can be found other than that he has become worn out in the public service. In such a case sentimental considerations usually prevail, the call of duty is neglected, and the old employee retains his position, virtually as a pensioner, while the duties which he should perform are neglected or are discharged by another, often at an inadequate compensation.

A retired list or a pension list is the natural outgrowth of a system which assures comparative permanence of tenure of position to persons employed in either the military or civil service of any government. Although the United States has made provision for the retirement of its military officers and enlisted men and for the pensioning of officers and men not entitled to retirement, there is no probability that it will follow the example of any foreign government, at least in the near future, by establishing a civil pension list, notwithstanding the fact that many good reasons for the establishment of such a list can be adduced by those who are in favor of it.

A retired list for the Army was first established by the act approved August 3, 1861, "providing for the better organization of the military establishment." Prior to that date officers held their positions by a tenure which differed in no respect from that by which employees in the civil service hold theirs to-day. No officer had a life tenure of his commission, and every officer was subject to dismissal at any moment by the appointing power. When officers became disabled by reason of age, disease, or wounds, they had no legal right whatever to be retained in service, and if they escaped dismissal they did so by reason of the compassion and forbearance of the Executive.

That is precisely the situation in the civil service to-day, and the causes which led to the establishment of a retired list for the Army in 1861 are almost all operative, to a greater or less extent, in the civil service at the present time. It is true that in the course of many years prior to the creation of the retired list it became a sort of unwritten law that officers of the Army, unless dismissed for cause, should be retained in service until they died, and it is equally true that existing conditions tend strongly toward the formation of such a law in the civil service. Entrance to the civil service being guarded so that appointments therein can not be made in furtherance of personal or political interests, there is no pressure from the outside to create vacancies in the service, and superannuated or disabled employees are no longer crowded out merely to make room for political or personal favorites.

But the world moves, and there is a constantly increasing disposition in all progressive countries to make provision for the care and maintenance of the worn-out or disabled servants, not only of the State, but of private corporations and of business establishments as well. One must be blind to the progress of events the world over, and in the United States especially, who will venture to predict that a civil pension or retired list in this country is not a possibility, or even a probability, of the not distant future.

And why should any of us shudder at the mere mention of a civil pension or retired list and speak of it with bated breath as a thing of horror and a possible source of unspeakable evil? Can any intelligent man deny that a retired list, which has been of such great benefit to the military and naval service, will not be of equal benefit to the civil service? I am free to confess that I am convinced that, leaving all sentimental consideration out of the account, it is decidedly in the interest of the Government to make provision for at least its worn-out civil servants by establishing a civil pension list on substantially the same footing as that of superannuated officers and enlisted men of the Army and Navy.

Indeed, I believe that comparatively few of the young men now entering the civil service do so with the definite intention of remaining

therein permanently, but that most of them accept their appointments with the more or less clearly defined purpose of relinquishing them as soon as they shall have been admitted to the practice of a profession or shall have secured satisfactory employment in private business. Of course, this intention is not always realized; but the fact remains that many of the best men abandon the service after a few years for the purpose of engaging in private business which offers them better prospects for the future. This almost never occurs among officers of the Army or Navy, and it would occur very infrequently in the civil service if the inducements to remain therein were anywhere nearly as great as that which is offered by the military and naval services.

SHOULD HAVE BEST EMPLOYEES.

It goes without saying that the Government ought to have the very best men in all branches of its service; but it is difficult to get such men in the civil service, and more difficult still to keep them, because the ability which makes them valuable in the public service is sure of a much more generous reward in private employment.

I think the personnel of the service would be very greatly improved if it should be known to all who enter it that they have some sure provision for the support of themselves and their families when old age comes upon them. Such an assurance would be a very great inducement for men to remain in the service and to carry themselves well in it, because, as I said before, whatever might be assured to them in that way would really be an estate, and one which they would take good care not to forfeit.

Gen. Ainsworth not only points out how conditions have been wonderfully improved in the Army and Navy by the institution of the pension system, but ably shows how the want of it cripples the public service in many ways—not only inefficiency due to the presence of so many superannuated employees, but the fact that young men entering the service look upon it as a temporary makeshift and not a life work, soon being attracted to other fields of endeavor. In addition to that, the most active and able ones are soon taken up by private enterprises which offer much better salaries and more opportunity for advancement, leaving the Government service with only the less efficient clerks and employees, with consequent damage to the service.

We have had the testimony of other authorities on the subject, given before the Committee on Reform in the Civil Service at its various hearings, and they all emphasize and strengthen in a most surprising way all that has been said by Gen. Ainsworth. And the same testimony has been given by officials of large private enterprises, which have found it imperative for the good of their service to inaugurate pension systems. This applies to railroads, great banking institutions, industrial works, and institutions of all kinds with large forces of employees.

That the problem is admitted is proven by the bills now pending and by the various hearings and investigations made by the Committee on Reform in the Civil Service, as well as the many mass meetings held in different sections of the country; and we should not permit this session of Congress to pass without beginning some measure of relief. It is a duty we owe the country and its governmental service, and we should make an effort to discharge that duty now. We have been urged to do so by the President and his Cabinet, and President Taft's last annual message gives us the keynote of action.

It is only when we come to the actual methods of affording this relief that there seems to be any difference of opinion. Various plans have been tried, and the details of some are extremely intricate; but of the favorite methods it might be said that the so-called substitute plan, by which an employee is retired on half pay and a substitute employed for the other half, has not proven a success; its greatest weakness is the impossibility of getting efficient substitutes to work for the half pay left after the old employee is retired.

A plan tried in France and other countries is the general fund or contribution plan by which pensions are paid out of a flat fund made up of definite deductions from all salaries, sums contributed by the Government, special revenue from other sources, and perhaps donations. It is a very simple plan, but a happy-go-lucky one, without looking to causes or consequences; it spends money without reference to income, and the number and cash total of the pensions have no direct relation to the source of the fund or the amount that should be there at any one particular time.

But the two best plans advocated for the retirement of superannuated employees are the straight-out pension plan and the compulsory savings plan. Both plans are now before the House, the former in my own bill, No. 30140, and the latter in the bill of the chairman of the Committee on Reform in the Civil Service, No. 22013. I have the greatest admiration in the world for the able author of this Gillett bill; he has worked hard and faithfully, as have the other members of the committee, to study the whole subject, and to present the results in the form of a measure satisfactory to Congress and to the people, as well as to the interested employees.

My only regret is that I can not agree with him and the other members of the committee in their conclusions, and I can not

support the resulting Gillett bill, and at the proper time I shall move to substitute for it the bill previously introduced by me, No. 30140.

In reporting the Gillett bill to the House the committee gave a summary of its provisions, from which we learn that its idea, the compulsory savings plan, is to deduct from each man's salary a monthly sum which, with interest, will purchase him an annuity at the age of retirement, but which deductions belong to him should he leave the service, or go to his heirs in case of death.

The great advantage of the plan, according to the report of the committee, is that every man gets back what he paid in, each man taking care of himself.

But that can hardly be considered an advantage from the viewpoint of the man affected. His pay is not of the largest at best, and to have deductions made from it is to add more burdens to the employees, and consequently to make them less efficient. There is no dispute about the high cost of living in our country, and in every country, but the pay of clerks and general civil-service employees has not increased in anything like an even proportion to the increase in cost of living. Such employees are not as well off now as they were 10 years ago, but to insist now upon their giving up a part of the already shrunken salaries is to add insult to injury. It is very easy to legislate away the salaries of Government employees on the theory that you are providing for their comfort in old age; it is another thing to have to live on the shortened salaries, and to wait patiently for the time when you can enjoy the good things that the kind legislators have deprived you.

Such a plan—compulsory savings—may be actuarially sound, as the committee's report states, but very unsound in securing contentment and efficiency in the employees it affects. If the whole intent of the retirement plans is to secure efficiency in the service, we are defeating it by legislating in such a way; we are merely adding discontent to the already unsatisfactory condition of affairs.

Another serious disadvantage of this plan is the fact that it does not provide at all for the superannuated employees now in the service, and whose retirement now and in the next few years is necessary for its improvement. How can the men who have already spent their lives in the Government service manage to part with enough of their salaries to provide for pensions or retirement at once? In a bill reported last year the majority of the committee sought to overcome this by seizing some of the first month's salary of new employees, and by taking promotion increases for a year from other employees. If the claim in favor of the compulsory savings plan is that each man provides for himself, the claim would break down right there, for the poor newcomers would be held up at the start to take care of the ones patiently waiting retirement, and even those entitled to increases would be held up to take care of the other fellows. Even though this would be but a temporary expedient, lasting for a limited number of years, it yet would be contradicting its own principles in practice.

This year's committee bill, now before the House, endeavors to get around this fatal objection of providing for the already superannuated by making a straight draft upon the Treasury. It has been claimed for the Gillett bill that its greatest beauty was its lack of expense to the Treasury of the Government, each man taking care of himself and the Nation getting off scot-free. But if a draft is to be made on the Treasury after all, if the Nation has to foot part of the cost of retirement, then the plan has lost its beauty, and the compulsory savings plan once more contradicts itself. Of course this call on the Treasury is only to be a temporary matter, we shall be told; but the temporary matter means a great many years—as many years as employees now in the service may live. Only the new employees will be able to fully provide for themselves under the compulsory savings plan; every other employee already in the service will be short more or less in his own retirement fund, which will have to be made up by Government grant. Thus does the great advantage of the plan disappear, and we are back, after all, to the question of how much it is going to cost the Government, for cost it will, as provided for in the Gillett bill.

In the committee's report, after making a number of deductions and allowances, we are told that the cost to the Government for this feature, the retirement of present employees in the service before the institution of the compulsory savings plan, would be about \$50,000,000, scattered over 40 or more years; and, with further deductions, it is said that the cost would probably be less than \$1,000,000 a year for 30 to 50 years, after which the plan would take care of itself without cost to the Government.

Perhaps we might differ with all of these figures and find that on the contrary it would cost very much more and perhaps for a much longer period; but the fact remains that there is to be an annual draft on the Treasury for many years. The compulsory savings plan fails in its institution to avoid expense to the Government, and in this respect does not differ from the straight pension plan. It will not be any more satisfactory to the general public than the straight pension plan, and if public sentiment is against the latter because of its cost, surely it must also be against the former for the same reason.

The Gillett bill, therefore, will be a serious tax on the employees on the one hand, cutting down their already poor pay and bringing discontent and dissatisfaction as a new element into the service, and, on the other hand, it will afford no satisfaction to the people, the taxpayers, because it will also cut into their pockets.

It has been held out as a hope that if a compulsory savings plan was instituted that perhaps the Government might be induced to increase salaries. If this was a certainty and not a hope it might help to make up for the deductions and thus prevent discontent from creeping into the service. But remember that only a hope is held out, and the deferring of its realization would only add another grievance. On the other hand, suppose a general increase of salaries did ensue. This would mean an increased tax on the Treasury and we would be back once more at the crucial difference or alleged difference between the two chief plans of retirement.

The compulsory savings plan would make deductions from salaries, but would immediately make a draft upon the Treasury in the way of increased salaries in order to make good to the employees the deductions exacted. In effect, it would be a draft on the Treasury to provide for the retirement fund and would be, in effect, exactly the same as the straight-out pension plan. Once more the compulsory savings plan would break down in its effort to avoid expense to the Government.

Another feature of this plan which needs consideration is the effect it will have upon the Government's ability to secure new employees. It is conceded now that the pay of Government employees is not nearly so attractive as that of most private enterprises, and efficient employees are constantly drawn away to better and more advantageous positions, with brighter prospects. One of the main objects in instituting some kind of retirement pension system is to make the service more attractive and at the same time more efficient by commanding the services of the best grade of employees. This would undoubtedly be true if the pension was a straight-out one and all other things were equal. But if the promised pension means reduced salaries not only at the start, but throughout the entire time, the Government service would be anything but attractive and we would again be defeating the very object of instituting pensions. We would be driving away the very employees we need, for the promised pension would not look at all attractive seen through a long series of years at reduced salaries.

The Gillett bill would therefore prove a failure from every point of view.

It would thoroughly dissatisfy the present employees, who find it so extremely hard to live and support their families on the present salaries, which do not permit of sufficient margin for savings or future provision for age or infirmities. Deductions from these salaries would seriously hamper and cripple the employees of every age and grade, and this hardship would have its immediate effect on the service in less efficiency, more discontent, the driving out of even the present employees, or at least the most efficient of them who could manage to find positions elsewhere; it would be hurting the service instead of improving it, and creating another class of discontented citizens.

It would discourage young men from entering the Government service, to whom a pension would not be at all alluring at the expense of smaller salaries. Only those who could not possibly find employment elsewhere would go into Government service.

It would not please the public, because it would cost at least a million dollars a year for 30 to 50 years to take care of the retirements of those already in the service; and it would also cost whatever increased scale of salaries might result as a sort of compensation for the deductions. I am not at all convinced that the public is against pensions because of their cost to the Government, but the committee in its report intimates that it is so, and raise the question as to whether public sentiment would permit of a straight pension. But if the objection is only because of the cost, then there can be no hope for the Gillett bill in the public view. Its already admitted cost will condemn it at once.

These are some of the chief reasons which impel me to disagree with the chairman and those members of the Committee

on Reform in the Civil Service who have reported favorably on the Gillett bill. I am an advocate of the straight pension plan, and I am thoroughly convinced that it is the only fitting and proper plan by which this great Government of ours can retire its superannuated employees and improve the efficiency of its civil service. This straight pension is provided for in the bill introduced by me, H. R. 30140, and which I shall ask to have substituted for the Gillett bill, H. R. 22013.

In this bill a straight-out pension is provided for employees who have reached the age of 60 after 30 or more years of service; the pension shall be 50 per cent of the average annual pay received during the 5 years just before retirement. For employees who have reached the age of 62, after 25 to 30 years' service, a pension of 45 per cent of the average annual pay for the 5 years just before retirement is provided. For those who have reached the age of 65, after from 20 to 25 years of service, this bill gives a pension of 40 per cent of the average annual pay for the 5 years before retirement. No employee shall be kept on active service after reaching 70 years of age.

The bill also provides for total-disability pensions for those 5 years and more in the service upon the following basis: Service of 5 to 10 years, 30 per cent of the average annual pay for the 5 years previous to retirement; service of 10 to 20 years, 40 per cent of the average annual pay; service of 21 years and over, 50 per cent of the average annual pay.

There can be no doubt about the simplicity of this plan and of the directness with which it attacks the problem before us. The compulsory savings plan requires an immense amount of bookkeeping and executive control and an intricate and costly I will take up first the objection that the straight pension plan as provided for in this bill, H. R. 30140, does away with all of this and simplifies to a minimum the matter of administration and payment.

The report on the Gillett bill gives some objections to the straight pension plan that I would like to notice and answer. I will take up first the objection, that the straight pension plan would give employees the belief that the coming pension is a right of which they should not be deprived and that the service would be clogged by inefficient employees whom it would be impossible to get rid of because of their belief in the vested right of a pension. This clogging of the service with deadwood would be worse than superannuation itself; at least so it is claimed, rightly or wrongly.

While the compulsory savings plan seems to avoid this objection by giving a man his own savings should he be obliged to leave the service, yet beneath the surface there is no practical difference. The compulsory savings plan is a practical reduction of salaries for the entire time of service, otherwise there could be added to the savings no color of pension; and if an employee was dismissed for one reason or another he would have the same objection about being deprived of his pension, even though he is handed his savings to date. The dismissal under the compulsory plan would compel the employee to start all over again some place else, thus depriving him of the fruit of a long-continued service as a qualification for a pension. We know from experience that the belief in a vested right to a place or position is just as keen and jealously fought for as a belief in a vested right to a future pension. A man will make a harder fight for his present position rather than for his future pension.

Therefore, both as to the future pension and the belief in an inalienable right to his position, there can be no difference practically between the two plans of pensions, and, in my judgment, amount to but little.

If we look into the pension systems adopted by private enterprises for their employees we find that it is distinctly provided for that the granting of pensions is not to be construed as a contract, or as giving any right to be retained in the service, or even a right to a pension allowance; and the company or corporation granting the pensions distinctly reserves its right, unaffected in any way, to dismiss or discharge any employee whenever the company's interests or the good of the service require, without any liability, except for wages or salary accrued and unpaid.

If there were any doubt about the effect of a straight pension on the employee's belief in the permanency of his position, such an agreement could be incorporated in the rules and regulations to be adopted by the Secretary of the Treasury for the administration of the pension fund.

I believe if we legislators were less prone than we are to interfere with the control of heads of departments over their employees there would be less trouble in managing them, and less belief in the security of their places no matter how derelict or

delinquent or inefficient they might be. If it were once borne in on the minds of the employees that they would have to work well and faithfully and obey orders issued by their superiors or suffer the consequences, the service would improve. As long as they feel that some Member of Congress or other influential citizen will make an effort in their behalf, they are liable to fall from efficiency.

Of course, this applies to only a small percentage of the employees; and if the truth must be told, it is only the inefficient or those with the unfortunate habit of getting into trouble that make these appeals for influence and help, and perhaps if we fully realized this ourselves we would stop bothering heads of departments with appeals for such employees.

Then the employees, or at least that small fraction which might consider themselves permanently placed no matter what their faults or failing, would realize that their only hope is in working and obeying orders, and the belief in a vested right to a Government job would cease at once.

Thus, by ceasing to interfere with the responsible chiefs of departments on behalf of the few troublesome and undisciplined employees, by making it thoroughly understood that pensions are not contracts and that the Government's hands are not tied thereby, reserving the absolute right to dismiss or discharge employees for reason at any time, the objection to pensions, whether straight or by compulsory savings, would disappear at once.

Another objection cited by the committee's report, that Congress might consider a reduction of salaries or an adjustment of them, as a result of a straight pension, can be dismissed without discussion. That Congress could, on one hand, reward the Government's faithful employees by granting pensions, and, on the other hand, make reprisals by adjusting or reducing salaries, is utterly unthinkable. Congress is not capable of such double dealing with the faithful civil servants of the country.

The objection as to whether a straight pension plan would be permitted by public sentiment is a little vague, unless a reason for the adverse public sentiment is given. I assume that the matter of cost to the Treasury is the reason why public sentiment might not permit a straight pension plan. As already pointed out in discussing the Gillett bill, it is going to cost the Treasury a million dollars or more a year for 30 or 50 years, plus whatever increased salaries might be granted in that time as a compensation for the enforced deductions. As there are about 300,000 employees in the Government service subject to pensions, and if there ever is an increase of salaries it might average about \$10 a year each, that is surely a small average annual increase, less than a dollar a month. But it would add about \$3,000,000 a year to the salary list; and with the million a year already admitted by the Gillett bill it would give a total cost of about \$4,000,000 a year.

Let us see what a straight pension would cost, as provided for in House bill 30140, and the provisions of which I have just outlined. There would be three general classes of pensioned employees:

First. Those with 30 or more years' service, who have attained the age of 60.

Second. Those with 25 years' service and have attained the age of 62.

Third. Those with 20 years' service and have attained the age of 65. Class 1 receives 50 per cent; class 2, 45 per cent, and class 3, 40 per cent of the average annual pay for the five years prior to retirement. On the figures supplied by Commerce and Labor Bulletin No. 94, "Statistics of employees in the United States civil service," we are able to estimate fairly closely on the number of employees who would be immediately subject to the straight pension plan. There would be about 3,500 of class 1, about 1,800 of class 2, and about 1,200 of class 3. Putting the average salary on which pension would be based as \$1,000, this would give a cost of \$1,750,000 for class 1, \$810,000 for class 2, and \$480,000 for class 3, or a total cost of about \$3,040,000. This is not such a very heavy cost to the Government. It is two millions a year more than the Gillett bill provides for now, and if there was even a dollar a month increase in salaries as a result of the Gillett bill, then the straight pension would cost the Government about a million dollars less than the compulsory savings plan of the Gillett bill.

We have been estimating the cost for taking care of past services under the Gillett bill—that is, disposing of the already superannuated who could not provide for their own pensions—as about a million a year for 30 to 50 years, but this is only an average; in the first few years the cost would be just about the very same as a straight pension plan. Of course the cost under the Gillett bill would run down as the newer pensioners could partly make up their own pension funds, but during the

first years, which might perhaps run to 10 or 15, the cost would be almost identical with that of a straight pension.

And if the Gillett bill brought about the desired small increase of salaries to make up for deductions for pensions the cost to the Government would far exceed that of the straight-pension system and shock the public sentiment which is supposed to be opposed to a straight pension.

Another thing to be considered in estimating the cost of the pension systems is the saving in salaries by retiring the already superannuated. If the figures we have deduced from the Commerce and Labor Bulletin No. 94 are correct, under the straight pension system there would be retired at once about 6,500 employees, costing in pensions about \$3,040,000 a year. But the salaries of these 6,500 employees, on a basis of \$1,000, amounted to \$6,500,000 a year. Therefore we have a saving of \$3,460,000 a year in salaries.

Again, looking over our figures we find that of the 6,500 retired about five-eighths are 65 years of age and over. As 65 years is the almost universal age of retirement wherever pension systems are in use, it is fair to assume that real efficiency ceases at that average age; there may be many exceptions, but that seems to be about the average. That being so, it might only be necessary to get sufficient new clerks and employees to take the places of the three-eighths of the 6,500 who maintained the efficiency of the service; but allowing a little more, we shall fix the number of new employees as one-half of the 6,500 retired. On salaries of about \$720 to \$765 the salaries of the new clerks would cost the Government, say, about \$2,450,000 a year.

But having saved \$3,460,000 in salaries by retiring the 6,500 superannuated employees, the cost of \$2,450,000 for new employees would still permit a margin of \$1,000,000 saved in salaries by a straight pension system.

Of course, the same line of argument might apply to the compulsory savings plan, but it disposes at once of the bugaboo of cost to the Treasury, and really assures a saving to the Treasury instead of a loss.

There is one more consideration which needs attention before we leave this matter of cost, and that is whether the cost of pensions would increase from year to year. It must be admitted that there will be an increase, but judging by the experience of the governments and private corporations which have been granting pensions for many years it can be said that the increase is extremely slight. For instance, in the case of the Pennsylvania Railroad its first 10 years of pensions showed an increase of only one-fifth of 1 per cent of the entire pay roll, and the average pay had increased about 25 per cent in that time. If the pay had remained stationary the cost of pensions would not have shown an increase at all, but a decrease, based on the entire pay roll.

But using the same ratio of increase in 10 years, one-fifth of 1 per cent, and assuming that the pay remains stationary and the number of employees on the roll is the same, in the 10 years there would be an increase of only half a million dollars or less for a straight-out pension system.

We have therefore seen that, even though a straight pension system would cost about \$3,040,000 a year to start with, increasing only about \$500,000 in, say, 10 years, the saving in salaries, less the cost of sufficient new employees to maintain the efficiency of the service, would really mean a saving of about \$1,000,000 a year. The cost of a straight pension would in the first years—10 and perhaps many more—be no different in any respect from the cost under a compulsory savings plan, since the latter would make a draft on the Treasury for the retirement of the present superannuated which the compulsory plan would leave unprovided for and for the retirement in the years to come of all whose enforced savings for pensions would be short all the way from 1 to 30 or more years. And if the compulsory savings plan induced the Congress to increase salaries as a compensation, then the straight pension would be far the cheaper plan of the two, by as much as a million a year for some 30 to 50 years.

I am thoroughly convinced that if it is only a matter of cost, if that is the only factor that influences public sentiment on the subject, then the straight pension plan has the right of way, since it is really cheaper, as it does not seek to hide its cost under devices or promises of increased salaries, since it is franker and simpler in every way. It does not beat about any bushes, but comes direct to the point. And in order to show that its cost, on the surface of things, is really a saving in salaries, it would be well to have the heads of departments, in reporting the financial statements each year, or to have the Secretary of the Treasury, in reporting the total cost of the civil service, to report the pensions in close connection with the cost of salaries; the pension fund should not be kept

separate as an independent fund, with separate appropriations and separate accounting, but should be reported as a part of the cost of the civil service; salaries should be for employees, active and retired, and the entire cost of the whole service, active and retired, could be compared from year to year and the exact effect of the pension system calculated. This would not only be a reform in some of the Government's bookkeeping methods—and there are dozens of others which need reforming (even our own system of appropriating without regard to income needs a little shaking up)—but would be merely fair play to the straight pension system, giving it a chance to prove its financial value to the Government.

The report of the committee on the Gillett bill compliments the straight pension system when it states that its great advantages are its simplicity and its attraction to the service. And we can not be too urgent in recommending the enactment of a straight pension plan if for no other reason than the attraction which it would give to the Government service. We have already seen how difficult it is even now to secure employees of the kind desired to keep the service up to a proper degree of efficiency. The pay is not good enough even now; young men enter the service only as a temporary makeshift; the more active and ambitious and able soon leaving it for brighter, better-paid, and more attractive fields of private endeavor. Compulsory savings will drive out many already in the service, since they can not possibly afford the deductions, and will make the service less attractive than ever for the young men that should be encouraged to make the Government service a life work.

But a straight pension system will have just the opposite effect. It will relieve the present superannuated to the consequent improvement of the entire service; it will gladden the hearts of those now in the service and give them cause to thank the Government and to show their gratitude in better and more faithful service; since it will not affect salaries, but add attractiveness to them by reason of the pensions offered, it will encourage a better class of young men to enter the service, and will induce them to make a life work of the service, and not merely a temporary resting place before flitting to more congenial fields. All of this will unquestionably tend to improve the entire service, make it abler, more efficient, more pliable to the orders of superiors, more smoothly working, more competent in every respect.

It will also prove the gratitude of the Government to its faithful and worthy employees, just as it has been grateful to the Army and Navy and other branches of the service; to its commissioned officers of the two armed services, even to the distinguished and hard-working justices of its courts. The Government will be aligning itself with the other great Governments that have had such pensions systems for years, such as England and Germany; and, in fact, all the European Governments, with the exception of France and Turkey, although even both of these contribute largely from their public funds for pensions to civil employees. The Government will also be following the example of a large number of railroads, industrial enterprises, national banks and banking institutions, and many other classes of private corporations, which retire their old, superannuated, faithful employees without taxing them in advance for such purpose.

Because of the widespread interest in the matter, because of the almost unanimous appeal of the entire body of civil servants of the country, for the good of the service and the honor of the fair name of the Government, I urge upon this House the immediate enactment of a straight pension bill, as provided for in my bill, H. R. 30140.

Mr. MOON of Tennessee. I yield to the gentleman from Indiana [Mr. Moss].

Mr. MOSS. Mr. Chairman, the postal system brings the operations of our Government into the life of every citizen. If we except the post office, then thousands of good citizens live and die without touching the machinery which we call the National Government. It is therefore most natural that the administration of postal affairs should inspire the deepest interest of the citizen who gives but little thought to other questions of apparently greater moment. It should not excite surprise either that the conviction of these people are positive, because they have not only a personal interest but also a practical knowledge growing out of actual experience. On this subject, above all others, the average citizen speaks "not after the manner of the scribes and Pharisees but as one having authority." For these reasons we can not approach legislation on the subject of parcels post with the pleasant anticipation of meeting the unanimous approval of any constituency; it is one of the subjects which the average public servant can well wish that his promise "to give it careful con-

sideration" shall be accepted by his constituency as a full discharge of his obligations in statesmanship; but we are rapidly approaching the "parting of the ways" on this question; and the decision must soon be reached by every Member of Congress whether the citizens of our country shall be compelled to continue to pay 25 per cent higher postal rates on merchandise through the mails than citizens of foreign countries who use our postal facilities.

I am aware, Mr. Chairman, that no bill on this subject has been reported by the Committee on the Post Office and Post Roads, and for that reason no legislation is now pending on this subject before Congress; but in replying to the many letters and petitions which I am receiving relative to the parcels post, it is impossible to state fully the reasons which impel me to support this legislation; and that reason, if none other, would be sufficient to induce me to attempt a discussion of this subject, which is manifestly of so great an interest to my constituents. There is, however, another reason why this subject should be given attention; there is evidently a systematic campaign organized against this project, and strong efforts are being made to unite the retail merchants in a league to oppose this legislation. Of the many protests which I have received, every one is on a printed form and sets forth exactly the same objections, thus disproving the old maxim, "Many men, many minds." This antiprogressive postal campaign committee has its headquarters at Chicago, under the name of "The American League of Associations," and has been organized to conduct a propaganda against postal progress. The membership of this association has been investigated by certain newspapers, and the Chicago Tribune asserts that—

seventeen mail-order houses of Chicago belong to this association and have obscured their identity by having credit men, clerks, and others not filling official positions to represent them.

Mr. Edward B. Butler, of Butler Bros., mail-order house, is president, and such concerns as Marshall Field & Co., the John V. Farwell Co., Pirie, Scott & Co., and other immense Chicago establishments, which do a large mail-order business, are represented on the board of governors. This association of millionaire business houses, organized under an assumed name, announces that their patriotic purpose is to save the country merchant from being driven out of business and to protect the National Treasury from threatened bankruptcy by an imaginary deficit in the postal revenues. To accomplish these ends they have prepared and are circulating printed petitions setting forth five reasons why the American people should not be given the same postal rates which are now enjoyed by the people of other lands who use our mails. John Wanamaker, when Postmaster General, stated that there were but four reasons, viz, the four big express companies, but these Chicago merchants have discovered five. Briefly stated, these five reasons are: The creation of an enormous mercantile trust; the subversion of the purposes of the rural delivery of mails; the destruction of the country merchant; added profits of the express companies; and an increase in the postal deficit.

Before accepting these statements as conclusive it would be well to recall some well-known history about some of these houses and men.

The estate of Marshall Field has millions invested in railroad properties, and, if the truth were known, is probably largely interested in the express business. This same estate was compelled to pay large sums of money in back taxes which was due to the public on sequestered property, withheld from lawful taxation at the price of perjury; and in no other American city, perhaps, is tax dodging more common or notorious than in the colony of Chicago millionaires. Every farmer who has shipped a load of cattle to the Chicago yards knows by experience the treatment he received from the Beef Trust of that city; and we are compelled to spend \$3,000,000 per year of money raised by taxation on the food, clothing, and shelter of our people to set a watch on the packing establishments of these men to compel a decent regard for the lives and health of the American people. Surely we have not forgotten the report of the Roosevelt administration about the packing houses; yet it is from such sources—from the expenditure of the dollars of these men of the millionaire colony of Chicago—that this association is formed to withhold from the American people the blessings of a cheap parcel delivery through the mail department of their own Government. We may well beware of the Greeks when they come bearing gifts.

I am aware that many of my constituents, whose good judgment I respect and whose advice I value highly, have accepted these findings as conclusive and have expressed their opposition to any extension of the parcel system. The letters and petitions reaching me at this time would seem to indicate that the open

opposition is confined principally to the retail merchants. These men are among the most intelligent and progressive citizens of any community; they are usually the leaders in any movement to benefit their neighborhoods, and are men whose counsel and advice is sought by those who stand in public life. It is therefore with extreme reluctance that I have felt compelled, in justice to the public interests committed to my care, to accept the recommendation of the President rather than to have the pleasure of meeting the expressed wishes of good friends and constituents on this subject. For this reason I ask as careful a consideration for my reasons for supporting the President as I have given to the arguments of the opposition.

President Taft is not a pioneer in recommending lower rates on parcels and thus advancing our Nation beyond China in the march of progress in this department of government. Mr. Wanamaker, of Mr. Harrison's Cabinet, said in his annual report in 1880:

It can only be a question of time when it will be undertaken in some form in this country. I am in favor of a full parcels post.

In 1908 Mr. von Meyer, then of Roosevelt's Cabinet and now in Taft's, after stating that rural service was then reaching 18,000,000 patrons, said:

The special local parcel will enable the farmers to have small parcels delivered at their gates, to live better, and to obtain easily the necessities of life. The increased consumption will in turn increase the business of the local merchant and benefit the jobber by the additional orders transmitted through the commercial traveler.

This proposed legislation thus has the weight of authority for many years, yet it is persistently asserted that it will largely increase the postal deficit.

Now, this is purely a question of administration cost. It is asserted by the postal officials that the project will be self-sustaining and will contribute a handsome surplus to the Treasury. It is known that the express companies at the present time are carrying parcels at a lower rate than the Government and are making enormous profits. Indeed, I have failed to find a business man who is opposed to the parcels post but who earnestly desires a reduction in express rates. In 1898 the Adams Express Co. declared a stock dividend of 100 per cent, and in 1907 they declared another one of 200 per cent. Last year the Wells, Fargo Co. gave a semiannual dividend of 5 per cent, an extra cash dividend of 30 per cent, and a stock dividend of 300 per cent.

If the express companies find this business so profitable, is it reasonable to believe that the postal officials are misleading the country by declaring that the rates recommended will enable the Government to make a profit rather than to sustain a loss? Many business men are in favor of a tariff commission in order that the country may secure an unbiased ascertainment of facts on which to predicate tariff schedules. The tariff question has been studied by every public man in this country for more than a century. Committees in Congress have examined and cross-examined expert witnesses under oath to establish a basis for tariff legislation; and yet a great political party, after a half century of active control, is ready to confess that their efforts to master this subject are in vain and that a commission is absolutely necessary to guide them in legislation. Why desire a commission of experts to give information on one subject of legislation and refuse to accept the recommendations of trained public officials on another and less difficult subject of legislation?

Our present parcels law is not only antiquated, but it is absurd. Local facilities are what is mostly desired in the improvement of our postal service to-day. A citizen who wishes to send a package by mail to his neighbor or to receive one from a near-by office must pay for this service a charge as heavy as if it be sent from New York or San Francisco and one-fourth higher charge than if it be mailed from Hongkong or addressed to Tokio. Any citizen may hand his postman two parcels, one to be carried to the adjoining county seat and the other one to be delivered in London, England. The domestic parcel will be accepted at a rate of 16 cents per pound up to a limit of 4 pounds; the foreign parcel will be accepted at a rate of 12 cents per pound up to a limit of 11 pounds. Can any law be more unjust to American citizens or more offensive to the test of good common sense? I have never wanted to send a package to China or Japan, and for that reason the lower rates of postage are of no advantage to me, but every citizen would receive the advantage if the 12-cent rate were to be extended so as to include domestic postal business. Then why not extend to our citizenship the greatest benefits of our postal system?

It is contended by the opponents that the proposed low rates will destroy the country merchant by enabling the mail-order houses to monopolize the retail business, and that it will thus lead up to communities with no business institutions except

the post office and freight depot. This is the supreme test of the opposition, and it should be considered with care. If it be true that all local business is dependent upon high mail rates, then these rates should be continued without regard to the question of increased postal revenue, for the result of good government must be to facilitate commerce and exchange of commodities and not to foster monopoly.

It is to be observed, however, that the press of the country is devoted to the discussion of the many forms of monopoly which have grown up under present conditions. There is no subject which is more constantly before both legislature and courts at the present time than the subject of commercial supremacy and commercial monopoly. It is to be recalled, too, that the rapid drift of population from the country to the city is engaging the best thought of our country at the present moment; and you do not have to travel far in any direction to find in country districts empty schoolhouses, abandoned stores, and silent blacksmith shops. That we may fully realize how rapidly this concentration is taking place, it may be stated that in 1880 but 19 per cent of our population lived in cities of 25,000 population and over; our census authorities estimate that within 10 years 50 per cent of our people will dwell in such sized cities. The late census shows that 55 counties in Indiana have lost population during the past 10 years and that only those counties engaged in manufacturing or mining have made substantial gains, while those largely engaged in agriculture have uniformly shown losses. This being undeniably true, why go into the realms of imagination to conjure results which are actually present and which come from some force other than the proposed parcels-post legislation? Even the present large mail-order houses have been built up under our present conditions; and the fact that Sears & Roebuck are enabled to declare an annual dividend of 33 per cent on their capital stock would indicate that they have abundant reasons to be satisfied with the position which they occupy in our commercial life; and will indicate also why the mail-order houses can accept positions on the board of governors of the "American League" and contribute funds to maintain these present-day conditions. It is touching to read of their solicitude for penny postage in preference to cheaper parcel rates. Under present conditions the vast bulk of their wares is delivered to their customers by express or freight; but their selling department is conducted through the mails. The orders are received and acknowledged through the mails and the goods are sent by rail delivery. Penny postage would reduce the expense of selling and thus increase their net profits; but the people will still pay the old price for transportation, which is higher than any other people in the world is compelled to pay for similar service. It is a matter of recent occurrence, when the city of Terre Haute sent an order for furniture to Sears & Roebuck. This merchandise was delivered by freight; but the testimonial of satisfaction both as to quality of goods and the price was sent to the company in the mails. What a ridiculous pretense that the Chicago association of these houses, in order to break up their established business and thus protect the local merchant in legitimate trade, should clamor for a reduction in letter postage which they must pay on every transaction and vociferously object to any change in parcel rates, which they do not have to pay; and the pity of it all is that local merchants should be deceived by this by-play and earnestly second their demands.

The catalogue of Sears & Roebuck gives express rates from Chicago to every express office in my congressional district. These charges are as follows: One pound, 25 cents; 2 pounds, 30 cents; 3 pounds, 35 cents; 4 pounds, 35 cents; 5 and 6 pounds, 40 cents; 7 pounds, 45 cents; 8, 9, and 10 pounds, 50 cents; and 11 pounds, 55 cents. These charges include insurance for safety, and if a package is lost or destroyed the company makes payment to the owner. It requires a fee of 10 cents to insure a parcel sent through the mails. It is thus cheaper to send 1 pound from Chicago to Brazil, Ind., by express than to send it by insured mail; and it is cheaper to send all packages weighing 2 pounds and 3 ounces by express than to send them in the open mail and the sender accept the risk of loss or damage in carriage. If, then, express rates are now lower than 12 cents per pound on the average shipment and for that reason the bulk of parcel freight is now carried by these companies, in what possible manner can a change to a 12-cent postal rate lead to the destruction of country business?

I am aware that it will be asked, "Of what benefit, then, will the parcels post be to the people?" It is not sufficient to demonstrate that proposed legislation will do no harm; the burden of proof must be on those proposing it. The transportation question is one of the two most important subjects in public life, and its wise solution will go further to insure com-

mercial prosperity than any other one thing which the legislative branch of our Government can do. The railroads collect annually twice as much money as the Federal Government from all sources, including postal receipts, and five times as much as the Government collects from our tariff charges, and it is time that plain words be spoken along these lines. A good illustration of the wide importance of the transportation question in our public life is found in the struggle over fixing the tolls on freight passing through the Panama Canal. The canal will not be completed until 1915, and yet the question of canal tolls is a burning one before the present Congress, because wrapped up in this question is the infinitely larger one of freight charges between Mississippi River points and the Pacific coast. If the Government will give free entry through the canal to all American vessels engaged in coast trade, under such conditions as will prevent collusion between the owners of railroads and the owners of sailing vessels, we will not only build up a merchant marine, but will effectually break down the railroad monopoly now controlling rail shipments over the Rocky Mountains, and will give cheaper freight rates to the American people. The Panama Canal will thus be more potent in protecting the people from extortion in freight charges than the Interstate Commerce Commission and the Sherman antitrust law.

In like manner, a reduction in parcel rates by the Government will compel a reduction in express rates except in the zones close to the centers of population. Express rates may not be lowered between Brazil, Ind., and Chicago, because they now are below the proposed new rate, but express rates between New York and Brazil will be lowered on all small parcels as a result of this increased competition. No one is advocating the adoption of the European parcels system, nor can this system be introduced until we take over the monopoly of carrying all parcels by the Government, and then regulate the charge in proportion to the distance carried. But to the extent which the Government increases its competition by lowering its charges so will the express rates be lowered, and thus bring about a result most devoutly desired by both advocates and opponents of this proposed legislation. The greater benefit will go to the country districts, since the mails carry packages to the gates of our homes while express delivery stops at the city limits.

The first annual report on the statistics of express companies in the United States has just been issued by the Interstate Commerce Commission, and this report shows that for the year ending June 30, 1909, the net profits of these companies were 69 per cent on the book value of the property and equipment investment. In the face of these official figures, can any person deny that express rates should be lowered? And if express rates are lowered by order of the commission, why should not postal rates be lowered by Congress? Competition in retail business will be intensified by a reduction in express rates as it will be by a like reduction in postal rates. I voted to give the Commerce Commission the power to regulate express rates, with the full knowledge that this action would compel a reduction in these charges. Against this vote I have not received a single protest. Business men and wage-earners alike have commended this action of the Sixty-first Congress as the most useful and progressive legislation of recent years. It was accomplished in the face of a most determined opposition. Then why should I vote against a reduction in mail charges and thus deny to many thousands who live remote from express offices, but before whose door the mails are carried every day, the same advantages of reduced carrying charges on small parcels which the vote on the other measure gives the residents in the city who are served by express companies?

The proposed rural parcels post is, however, of vastly greater importance to the country, excepting in its effect on express rates, than this reduction in general postal rates on parcels.

But few citizens realize how rapidly our country is approaching in density of population the countries of the Old World. Rhode Island has more people per square mile than England and Wales; Massachusetts, more than Holland; Connecticut, more than Germany or Austria; New York State is more densely settled than France, Switzerland or India. We are growing in population faster than any other great nation on earth, and we must stop to consider how greatly these changes must affect our economic life as a nation. The average citizen is rapidly approaching a time when his outgo is of equal importance to his income, and that must mean that the right of one citizen to save an honest dollar is as sacred as the right of another citizen to make an honest dollar. The cost of living enters every home, and it is an economic, rather than a political, question, which will not down at the command of any authority. The merchant sends bills to every household which are more

important than any political "Bills" which can be presented by any political party; and I do not forget that "Bill" Taft and "Bill" Bryan are prominent men in their respective parties. The New York Sun recently printed a bill of fare which will illustrate the importance of this matter to the average citizen. It was a bill issued by the Putnam House, one of the famous hotels in New York City. Here are some of the items and prices: Beef or pork, 7 cents; ham and eggs, 19 cents; roast beef, veal, or pork, 7 cents; roast turkey, goose, duck, or chicken, 15 cents per plate. Other prices were in like proportion, and it is said that the proprietor fed hundreds every day at these prices and made money. This was in 1863, when war prices prevailed and we had the 40-cent dollar. This is not true in any city to-day, when every dollar is worth 100 cents and the country for many years has enjoyed the blessings of profound peace.

Our lands are more productive now than they were then; the average yield per acre has slowly but steadily increased on the American farms. Farmers have better teams, better tools, blooded live stock, and improved varieties of seeds and grains; the facilities for railroad transportation are better; we are spending vast sums of public money for agricultural education. Where do all these improvements get lost in the way of advantage to the people? The current report of the Secretary of Agriculture asserts that in 78 cities covered by their investigation, the producer—the dairyman—receives only 50 per cent of the retail price paid by the consumer for milk; that the farmer is paid but 55 per cent of the price charged the consumer for poultry; that the apple grower receives 55 per cent of the price paid by the consumer who purchases by the bushel; that the grower of onions is paid but 25 per cent of the price paid by the consumer who purchases by the peck; in oranges, the grower receives 20.3 per cent of the price paid by the consumer who purchases by the dozen.

These figures tell their own story and call for more direct communication between the farm and the city home. We are spending millions in improving the roads of our country; our citizens are installing telephones in country residences; the Government is paying 40,000 rural carriers to visit these homes every working day in the year. Shall these improvements be robbed of their full value to the citizens of our country by a mail regulation which was enacted 30 years ago? Shall the present stand halting because of the adverse conditions in the past?

The rural mail delivery was established in the face of determined opposition, which used the same argument of destruction to rural institutions. This service has grown in popularity and power until to-day we are spending nearly \$30,000,000 per year in excess of the estimated revenues originating from it. The carriers on the average handle only about 25 pounds of mail matter per day. If this were a business man's government, these conditions could not remain unchanged a single year. Roosevelt's administration pointed out that if each carrier were to handle but three additional 11-pound packages per day, at 25 cents per parcel, the postal deficit would disappear; and no estimate has been presented that did not give the Government a net gain in revenues of at least \$12,000,000 per year. This would give a low-priced service between neighbors and citizens of a community. It would give a low priced delivery between rural customers and the local merchants of our small towns and cities, and the inevitable effect would be to increase the trade of the local merchants and lower the cost of living to urban population. The only possible source of increase in trade to the local merchant is in the rural territory surrounding his location; there can be no better means of stimulating this trade than to give the country customer better access to his local markets and the merchant better delivery service to his country customer. As this service, if established, can not be utilized by anyone except those who are patrons of the rural service or who are patrons of the local post office it is evident that whatever advantages this scheme will create will go directly to the local merchant and to his local customer.

It does not require the gift of prophecy to foretell that this service will be ordered just as surely as the rural carriers continue to travel their routes through the country. The twentieth century will not be halted by pioneer conditions which—thanks to the energy and genius of our people—have passed away never to return. Improved roads, rural telephones, increasing population, and the growing necessity for national economy are potent factors along economic lines; the increasing power which the plain citizen voter is gaining over his Government will hasten this progress along political lines. This is a government of all the people and for all the people, and the functions of such a government must more and more be directed toward serving all the people in their everyday struggles.

Mr. WEEKS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. STEVENS of Minnesota, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 31539, the Post Office appropriation bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. WEEKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 18, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for mechanical mail carriers at the post office in St. Louis, Mo. (H. Doc. No. 1298); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for investigation of a patent application filed by John Allen Heany (H. Doc. No. 1299); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. COWLES, from the Committee on Claims, to which was referred the bill of the House (H. R. 15566) for the relief of H. M. Dickson, William T. Mason, the Dickson Mason Lumber Co., and D. L. Boyd, reported the same with amendment, accompanied by a report (No. 1926), which said bill and report were referred to the Private Calendar.

Mr. McCREDIE, from the Committee on Public Lands, to which was referred the bill of the Senate (S. 7138) granting to the town of Wilsoncreek, Wash., certain lands for reservoir purposes, reported the same without amendment, accompanied by a report (No. 1927), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 31365) granting a pension to Claricy B. Duna-way; the Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 31450) granting a pension to David M. Bates; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 31525) granting a pension to Austin Mooney; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAINEY: A bill (H. R. 31597) for the relief of the Sny Levee district of Illinois; to the Committee on Levees and Improvements of the Mississippi River.

By Mr. OLCOTT: A bill (H. R. 31598) for the relief of certain retired officers of the Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. VOLSTEAD: A bill (H. R. 31599) to authorize the Minnesota River Improvement & Power Co. to construct dams across the Minnesota River; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER of Vermont: A bill (H. R. 31600) to authorize the erection upon the Crown Point Lighthouse Reservation, New York, of a memorial to commemorate the discovery of Lake Champlain; to the Committee on Interstate and Foreign Commerce.

By Mr. LEVER: Joint resolution (H. J. Res. 270) amending section 32 of the act of Congress approved July 2, 1909, providing for the Thirteenth and subsequent decennial censuses; to the Committee on the Census.

By Mr. FOSTER of Vermont: Joint resolution (H. J. Res. 271) authorizing the President of the United States to extend to the International Congress on Social Insurance an invitation to hold its next triennial congress in the United States; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 31601) granting an increase of pension to Charles Stokes; to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 31602) granting an increase of pension to Charles E. Bonsall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31603) to correct the military record of Jose De Jesus Romero; to the Committee on Military Affairs.

By Mr. BORLAND: A bill (H. R. 31604) to carry into effect the findings of the Court of Claims in the case of Stephen E. Brown; to the Committee on War Claims.

By Mr. BURLEIGH: A bill (H. R. 31605) granting an increase of pension to Nelson P. Noyes; to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 31606) for the relief of M. C. Wall; to the Committee on Claims.

By Mr. CAPRON: A bill (H. R. 31607) granting an increase of pension to Isabella M. Appold; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 31608) for the redemption of lost United States bond in favor of heirs of J. Calvin Kinney; to the Committee on Claims.

Also, a bill (H. R. 31609) granting an increase of pension to William Curran; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 31610) granting a pension to John W. Sage; to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 31611) granting a pension to David Sedore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31612) granting an increase of pension to Frank E. Lamphere; to the Committee on Pensions.

By Mr. DWIGHT: A bill (H. R. 31613) granting an increase of pension to John Dawson; to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 31614) granting a pension to Hattie Brauda; to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 31615) granting an increase of pension to Henry C. Akehurst; to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 31616) to carry into effect the findings of the Court of Claims in the case of George T. and Guy P. Vance, executors of William L. Vance, deceased; to the Committee on War Claims.

Also, a bill (H. R. 31617) to carry into effect the findings of the Court of Claims in the case of the estate of Patrick G. Meath, deceased; to the Committee on War Claims.

By Mr. GRAFF: A bill (H. R. 31618) for the relief of James Campbell; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 31619) to authorize the making of a second homestead entry by Samuel J. Brown on land located in the county of Lincoln, State of Oregon; to the Committee on the Public Lands.

Also, a bill (H. R. 31620) granting an increase of pension to Andrew J. Haydon; to the Committee on Pensions.

By Mr. HOBSON: A bill (H. R. 31621) to carry into effect the findings of the Court of Claims in the case of Louisa Perkins, administratrix of estate of Augustus N. Perkins, deceased; to the Committee on War Claims.

By Mr. HOLLINGSWORTH: A bill (H. R. 31622) to carry into effect the findings of the Court of Claims in the case of David Skeels; to the Committee on War Claims.

Also, a bill (H. R. 31623) granting a pension to Mary I. Gregg; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 31624) for the relief of Jason M. Owens; to the Committee on Military Affairs.

By Mr. HUBBARD of West Virginia: A bill (H. R. 31625) for the relief of Henry Borman; to the Committee on Military Affairs.

By Mr. KOPP: A bill (H. R. 31626) granting an increase of pension to William Miller; to the Committee on Invalid Pensions.

By Mr. LATTI: A bill (H. R. 31627) granting an increase of pension to John Dineen; to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 31628) granting an increase of pension to James R. Mooney; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 31629) granting a pension to Anna E. Birkle; to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 31630) granting an increase of pension to George W. Asher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31631) granting an increase of pension to William Turner; to the Committee on Invalid Pensions.

By Mr. MALBY: A bill (H. R. 31632) granting an increase of pension to Paul Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31633) granting an increase of pension to Lyman E. Bowron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31634) granting an increase of pension to Ira G. Haven; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31635) granting a pension to John Bresett; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 31636) granting an increase of pension to Lucius H. Hackett; to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 31637) to remove the charge of desertion from the military record of Charles Carlisle and to grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. MASSEY: A bill (H. R. 31638) granting an increase of pension to William J. Ingle; to the Committee on Pensions.

Also, a bill (H. R. 31639) granting an increase of pension to Adam Hicks; to the Committee on Invalid Pensions.

By Mr. MILLER of Kansas: A bill (H. R. 31640) granting an increase of pension to Ancil B. Spencer; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 31641) granting a pension to Doc L. Bailey; to the Committee on Pensions.

By Mr. SHEPPARD: A bill (H. R. 31642) granting a pension to Mrs. W. J. Watts; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 31643) granting an increase of pension to Henry A. Ernest; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 31644) authorizing a patent to be issued to Charley Clark for certain lands therein described; to the Committee on Private Land Claims.

By Mr. STERLING: A bill (H. R. 31645) granting a pension to Francis M. Phares; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 31646) granting an increase of pension to Caroline F. Everett; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of Missouri: Petition of Eugene and S. L. De Hart, S. L. Riggs, Paul Riggs, and others, of Weatherby, Mo., and J. J. Corey, J. M. Hughes, William Holmes, and others, of Mill Grove, Mo., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ANDERSON: Petition of Moses Martin Post, No. 649, of Huron, Ohio, for amendment of the age pension act of 1907; to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: Petition of citizens of South Dakota, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. BURNETT: Petition of citizens of seventh Alabama congressional district, against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of seventh Alabama congressional district, against Sunday legislation (S. 404); to the Committee on the District of Columbia.

Also, petition of Live Oak Camp, No. 596, Woodmen of the World, for the Dodds bill; to the Committee on the Post Office and Post Roads.

By Mr. CALDER: Petition of Brooklyn Engineer Club, for incorporation into House bill 7117 of section 4 as worded at length in petition, appointment of assistant engineers in river and harbor improvement; to the Committee on Rivers and Harbors.

By Mr. CAPRON: Paper to accompany bill for relief of Isabella M. Appold; to the Committee on Invalid Pensions.

By Mr. CLINE: Paper to accompany bill for relief of William Curran; to the Committee on Invalid Pensions.

Also, petition of Monroe Council, No. 15, Junior Order United American Mechanics, twelfth Indiana congressional district, for more stringent immigration laws; to the Committee on Immigration and Naturalization.

By Mr. COCKS of New York: Petition of citizens of New York State, favoring retirement of officers and members of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Wisconsin: Petition of citizens of Wisconsin, favoring the local rural parcel service; to the Committee on the Post Office and Post Roads.

By Mr. DAWSON: Petition of E. A. Ogilvie and 75 other citizens and firms of Muscatine, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. DICKINSON: Petitions of F. P. Hostetter and eight other business men of Osceola; Ferrell & Kimberlin and six other citizens of Garden City; Drexel Mercantile Co., of Drexel; Messrs. Hinchman & Wright, of La Tour; and H. Welling and six other citizens of Montrose, all of the State of Missouri, against the establishment of a local rural parcels-post service on the rural-delivery routes; to the Committee on the Post Office and Post Roads.

By Mr. DUREY: Petition of Cigar Makers' Local Union No. 483, of Gloversville, N. Y., for reduction of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. FLOYD of Arkansas: Petition of citizens of third congressional district of Arkansas, against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of the Mount Vernon Ladies' Association, in opposition to locating a criminal reformatory near Mount Vernon; to the Committee on the District of Columbia.

Also, petitions of A. W. King Dry Goods Co., Ludwig, Nelson & Irish, Calkins & Holmes, and Olsen, Whittmore & Walrod, of Sycamore, Ill.; Short & Kaemmerer, of Troy, Ill.; and Wiswall & Wirtz, of De Kalb, Ill., against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of P. A. Peterson, of Rockford, Ill., favoring New Orleans as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, paper to accompany bill for relief of Henry Akehurst; to the Committee on Invalid Pensions.

Also, petition of Gen. Edw. C. Young, of Illinois, for the militia pay bill; to the Committee on Militia.

Also, petition of the Ingersoll Milling Machine Co., of Rockford, Ill., favoring House bill 40622, to create a court of patent appeals; to the Committee on the Judiciary.

Also, petition of F. W. De Wolf, director of the Illinois State geological survey, to have the big testing machine placed in charge of the Bureau of Mines; to the Committee on Mines and Mining.

By Mr. GRAFF: Petition of employees of Toledo, Peoria & Western Railway Co., against increase in railway rates; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Pennsylvania: Petition of Pennsylvania State Hotel Association, for House bill 27275; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Daughters of Betsy Ross, praying for legislation to prevent the ravages of tuberculosis among dairy cattle; to the Committee on Agriculture.

Also, petition of Silas Cobb, M. L. Durst, W. M. McCullough, and James G. Mitchell, against House bill 30292, to enlarge Public Health and Marine-Hospital Service; to the Committee on the Merchant Marine and Fisheries.

Also, papers to accompany bills relative to restricted immigration; to the Committee on Immigration and Naturalization.

By Mr. GRONNA: Petition of citizens of Taylor, N. Dak., against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. GREENE: Petition of citizens of Nantucket and New Bedford, Mass., for Senate bill 5677, for improvement of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMOND: Petition of T. M. Simmons and four others, of Triumph; Allyn Bros. and four others, of Madison Lake, and A. E. Carlson and six others, of Sherburn, Minn., against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. HANNA: Petition of citizens of North Dakota, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of North Dakota, favoring House bill 26791, additional pay for post-office rural carriers; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: Petition of citizens of Oregon, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Oregon, against Senate bill 404, for Sabbath observance law in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOUSTON: Paper to accompany bill for relief of David F. Wallace; to the Committee on Military Affairs.

By Mr. HOWELL of Utah: Petition of citizens of Utah, against local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. KOPP: Petition of citizens of the third congressional district of Wisconsin, against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LATTA: Petition of Felix Hales and 75 others, of Tilden; G. H. Dunkleman and 24 others, of Bancroft; George Loan and 5 other business men of Norfolk; L. H. Prichard, of Meadow Grove; Eddy Bros. and 6 other business men of North Bend; William Vogt, jr., and 4 other business men of Pender; W. W. Roberts, of Oakland; H. J. Backes and 3 others, of Humphrey; W. H. Trent and 6 other persons, of Stanton; C. A. Jack and 24 business men of Tekamah; J. B. Wright and 75 others, of Neligh, all in the State of Nebraska, against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. LEE: Papers to accompany House bill 31531; to the Committee on the District of Columbia.

By Mr. LINDBERGH: Petition of Trades and Labor Council of St. Cloud, Minn., and citizens of Wadena, Minn., against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LOWDEN: Petition of citizens of the thirteenth congressional district of Illinois, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MCKINNEY: Petition of C. L. Welch & Co., of Blandinsville, Ill., against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of members of the First Presbyterian Church, Carthage, Ill., for passage of the Miller-Curtis bill (H. R. 23641); to the Committee on Interstate and Foreign Commerce.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Martel, Nebr., against the parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. MORGAN of Oklahoma: Petition of citizens of the second congressional district of Oklahoma, against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. NEEDHAM: Petition of commercial organizations of California for appropriation to dredge the Pinole Shoals and for \$127,000 for improvement of the Sacramento River; to the Committee on Rivers and Harbors.

Also, petition of Chamber of Mines and Oil of Los Angeles, Cal., favoring a prompt investigation by the Federal Government of holdings of unpatented oil lands by the various corporations of California; to the Committee on the Public Lands.

Also, petition of citizens of the sixth congressional district of California, against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. REEDER: Petition of citizens of the sixth congressional district of Kansas, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. SHEPPARD: Paper to accompany bill for relief of H. S. Hathaway; to the Committee on Military Affairs.

By Mr. SHEFFIELD: Paper to accompany bill for relief of Mary E. King; to the Committee on Military Affairs.

By Mr. STERLING: Petition of Harter & Jahnke, of Long Point, Ill., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. TOWNSEND: Petition of citizens of Monroe, Mich., against local rural parcels-post service; to the Committee on the Post Office and Post Roads.